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The Black Cat

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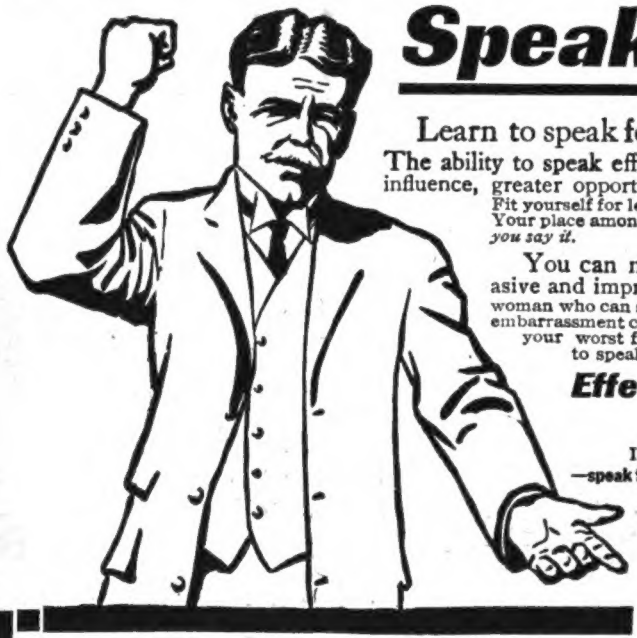

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The Black Cat

VOL. XX. No. 7 APRIL, 1915 10c. a COPY. $1.00 a YEAR

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ISSUED MONTHLY BY THE SHORTSTORY PUBLISHING COMPANY
Loring Avenue, Salem, Mass. 322 Regent Street, London, W., England
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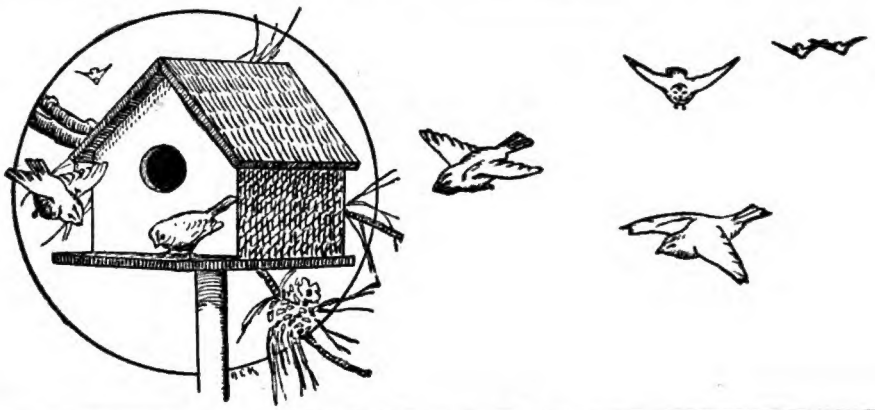

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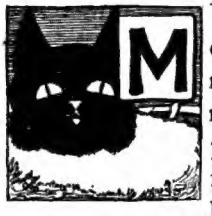
The Black Cat

Law Versus Justice

BY MARVIN LESLIE

A technicality of the law is used, this time, to render justice.



Y story is a short one," said the young man, "and I will make it as brief as possible. My father, John Emery, lived in the Province of New Brunswick within a quarter of a mile of the boundary line between that Province and the State of Maine. He was of an inventive turn of mind, and for years he and an American, John Ellison, had worked on a log-hauler which could be used in the lumber regions of Canada and Northern Maine. Finally they evolved a machine that worked successfully, but father died suddenly just at that time, and shortly afterward we ascertained that the patent had been issued in the name of Ellison alone, and not in their joint names, as had been understood between them. Ellison deceived father in some way, or probably tampered with the application papers. At any rate, he got the full benefit of the work, and has just sold the patent rights for one hundred thousand dollars. We are entitled to a half interest, but he says that he did the bulk of the work and that father had just been hired by him to help on some of the insignificant details, and it is very hard for us to prove the contrary, as father is dead, and he never gave us much information about it at any time beyond his repeated statements that the machine was a complete success and that they were equal partners in the deal."

"What have you done in the matter?" inquired Logan.

"I came up here to Montreal for the purpose of employing counsel and starting suit against Ellison. One of the leading lawyers here tells me that there is a chance to attack the patent in the United States Courts if I can raise $5000 for preliminary expenses, but I am not altogether ignorant of conditions in that country, and it looks like a losing game from the start. Still, I think I would have tried to raise the money and take my chances if a friend here hadn't advised me to come to you first. He said that you were different from the ordinary lawyer, that you make a specialty of handling matters that others pronounce hopeless, and do it in an entirely original way, succeeding where others fail."

"Some enthusiastic friend has no doubt been over-rating my poor ability," replied Logan. "But if there is

any way in which I can assist you I should be glad to do so, as you have justice on your side, and the case presents some interesting features."

"I should be glad if you would try it," declared Emery.

"You have always lived in New Brunswick, I presume?" queried Logan.

"Yes. Our people always boasted of Loyalist blood, although it was about the only good it did them."

"And would you mind if you were shut out from ever setting foot in the United States?"

"Not at all," replied Emery. "I have no relatives or interests there."

"Then," continued Logan, "you would be perfectly satisfied, if you can get your rights in this matter, to be forever precluded from going into the 'great republic to the south of us'?"

"Nothing would suit me better," replied Emery.

"I presume there are points," suggested Logan, "where the New Brunswick and Maine settlements are in close touch."

"There are hundreds of such places," explained Emery. "There is one spot where the highway runs for miles right on the line, so you can drive a team with one horse in Canada and the other in the United States. Then there are the 'line stores,' which are peculiar to the Maine and New Brunswick boundary."

"What are they like?"

"In both Maine and New Brunswick there is a prohibitory law, and the liquor dealers put up stores on the line so that the international boundary runs right through the bar which is in the center of the building. Then they put the liquors on a movable platform under the bar. When a Canadian customer comes in, the bartender stands on the American side and sells him his 'booze'; when a Maine man comes in, the bartender goes around the end of the bar into Canada and sells from that side. Then if a New Brunswick officer makes a raid on him, he simply moves his stock of liquors a few feet west, where it is in the United States and safe from seizure. When an American officer comes on the same errand, the proprietor and his stock move into Canada, and he is equally safe from arrest."

"It is certainly an interesting situation," declared Logan, "and I would like to try out a certain scheme in connection with it. For instance, would it be possible by any means to get Ellison into one of these stores you speak of?"

"Sure," replied Emery; "he runs one himself—probably the biggest one from the St. Croix to Grand Falls, where the boundary line strikes the St. John River."

"Does he live there, too?"

"Yes. The house, store and everything, are under the one roof."

"And does he by any chance keep his money there?" Logan was getting interested.

"He sure does," said Emery. "He has a big burglar-proof safe in the office behind the bar, and says it is safer than any of the Houlton banks."

"I see a chance, if you are willing to take it," declared Logan.

"I am willing to do anything," replied Emery, "if there is any possible chance of success."

Logan rapidly outlined a plan of action.

"But that would be breaking the law," remonstrated Emery.

"You fail to distinguish, as many people do," replied Logan, "between 'justice' and 'law,' and that distinction is the basis of my methods. Justice is the ideal condition of human society, and is a remedy for every social and political ill. By that I mean, though, absolute, flawless justice, that justice whose 'seat is the bosom of God, her voice the harmony of the world, all things in Heaven and Earth do her homage, the very least as feeling her care, and the greatest as not exempted from her power.' Law, as we understand it, on the other hand, is simply a collection of rules and regulations made by Parliament and Assemblies composed of members who may be honest enough, but who, under the most favorable circumstances are bounded and circumscribed by human limits and failings. Therefore, the laws passed by them are simply human efforts to attain to that condition of absolute justice which falls as far short of actual justice as the legislators themselves fall short of human perfection; so in many cases these man-made laws produce actual injustice and hardship. It is, therefore, the real function of a lawyer, not to blindly administer these human laws, but to circumvent them, if necessary, to attain absolute ideal justice. My model in that respect is O'Connell, who boasted that he could drive a coach and four through the best Act of Parliament that ever was written. This case of yours is one where the end justifies the means beyond a doubt, but, of course, I don't want to advise you to do anything you do not care to try."

"It is not that," argued Emery, "for I know I am entitled to the money if I had a fair deal, but I have always felt that no one man can successfully buck the law and get away with it, even if he has justice on his side."

"That is because he is not properly advised," smiled Logan.

"By George, I'll try it!" declared Emery.

"All right," agreed Logan, "and if the Attorney General of your Province takes any proceedings against you, let me know and I will be delighted to come down and defend."

A few days later, Emery strolled into Ellison's place on the Canadian side.

"Good day!" greeted Ellison, genially, from beneath the shadow of the stars and stripes; "anything I can do for you?"

"I understand that you sold the log-hauling patent the other day."

"Yes, and I don't think I made too bad a trade considering everything."

"I suppose you are aware," remarked Emery quietly, "that half of that money belonged to my father as a joint inventor?"

Ellison laughed. "Why, I thought you had given up that idea long ago. I've told you time and time again that I simply hired him to complete a few details and paid him at the time. In fact, the most of his pay he took across the bar here."

Emery resisted the palpable attempt to draw him into a personal discussion. "I'm not talking of that now," he replied; "but you know that father was justly entitled to a half interest in the proceeds and I intend to have it."

"Go to law then," retorted Ellison.

"I think I shall do so; in fact, I have brought my attorney with me and he will do the talking," smiled Emery.

"I should be glad to meet him," sneered Ellison.

Emery placed a revolver on the Canadian side of the bar with the end of the barrel pointing to a vital part of Ellison's anatomy.

"What does this mean?" blustered Ellison. "I will have you arrested if you don't stop your d—— fooling."

"Before you do so," remarked Emery, "you will open that safe and count me out $50,000 in cash."

"I'll see you in h—— first," sputtered Ellison.

"No. But I'll escort you there myself quick, if you don't flash up," warned Emery as his finger tightened on the trigger.

Ellison took a bulky package out of the safe and counted out the required amount.

"Put it down on your side of the line," ordered Emery, "and go back in the office and don't get out of range, please."

Ellison obeyed and Emery backed to the Canadian side door, still keeping the revolver available. The friend who had brought him over in his car was dozing on the front seat.

"Run the car across the line and come in on the American side," he ordered. Then he returned to the bar and pulled a Bangor newspaper over the weapon.

"Mr. Ellison has been paying me some money," he remarked casually, as Brown entered, "and there is two-and-a-half per cent. discount on American money on our side. As this is quite an amount, I wish you would take it down to the bank at Houlton and get Canadian money for it. They will have lots of our money there and will be glad to get rid of it. I will walk back and see you at two this afternoon, if you get back that early."

"Glad to accommodate you," replied Brown as he put the money in his pocket. He returned to the yard, where he cranked the car and started for Houlton.

"How long are you going to keep up this thing?" growled Ellison from the back office.

"You will stay there until two o'clock," Emery remarked pleasantly; "by that time my friend, Brown, will be safely back on the Canadian side."

As the clock struck two, Emery threw down the paper and retreated to the Canadian door.

"You will pay for this," declared Ellison.

"I can do it with your cash anyway," was the retort.

Two days later, Emery was arrested on a Canadian warrant, charging that he did, at the Parish of Richilieu in the County of Lecarnot and Province of New Brunswick on the ——day of—— A.D.——with and by means of threats and violence then and there used by him against the person of one John Ellison to prevent

resistance, violently steal in the presence of the said John Ellison and against the said John Ellison's will, money of him, the said John Ellison, to the amount of $50,000, and Magistrate Cameron, after the usual preliminary hearing, sent the case up for trial.

When court met a few weeks later, the Grand Jury promptly found a "true bill"; the prisoner was arraigned and pleaded "not guilty," and the Attorney General moved for trial.

"I appear for the prisoner," announced Logan. "I am a member of the Quebec bar in good standing, and would esteem it a favor if I were allowed to act in this matter."

The Attorney General promptly concurred in this request, and the Judge, in a few well-chosen words, extended the courtesy of the New Brunswick bar.

The case occupied very little time. Logan did not object to a single juryman; Ellison was the only witness for the prosecution, and told his story very clearly and effectively.

"Where is your home?" asked Logan, when it came his turn to cross-examine.

"At the boundary line."

"There is a bar in the place?"

"Yes."

"And the boundary line runs through the center of the bar from north to south?"

"Yes."

"Where were you when the prisoner arrived?"

"On the American side."

"Did the prisoner at any time cross to the American side?"

"No."

"Did you at any time cross over to the Canadian side?"

"No."

"Was the revolver which the prisoner pointed at you across the line at any time?"

"No."

"And you took the money from your safe on the American side?"

"Yes."

"Was the money at any time on the Canadian side?"

"No; his friend came in on the American side and took it from there to Houlton, as I suppose."

"That is all," said Logan as he sat down.

"That closes the case for the Crown," announced the Attorney General.

"Do you intend calling any witnesses, Mr. Logan?" asked the Judge.

"No," was the reply, "and I would ask your Honor to direct a verdict of acquittal."

"On what grounds?" asked the Judge.

"On the ground," replied Logan, "that the New Brunswick Courts have no jurisdiction in this case. All the evidence shows that the prisoner stood in the Province of New Brunswick and did certain acts, but those acts were not crimes according to the law of Canada. These acts produced certain results on the American side, which results, it is admitted for the sake of argument, were criminal acts, but the criminal acts were committed in Maine; the prisoner is answerable to the laws of Maine and not to the laws of Canada, and this Court has

[CONTINUED ON PAGE 50]

Sweepstakes

BY GEO. R. VARNEY

A millionaire disowns his son who, he feels, has married beneath his station in life, but a baby-contest opens his eyes.

WILLIAM SWAIN, Sr., had accumulated unnumbered millions in his immense soap factory, and had become the happy possessor of almost as many more millions that had come to hob-nob with the aforesaid millions, after the manner of millions so to do. Hence the aforementioned William was free to follow such a fad or fads as fancy might suggest.

But William, Sr., had followed the soap business so fast that it wasn't easy for fads or fancies to get within speaking distance of him. Bibliophiles had tried to make a bibliomaniac of him, and enterprising agents had succeeded in selling him numberless first editions in millionaire bindings, but his education had been too far confined to the school of hard knocks to enable him really to enjoy anything more scholarly than ledgers and recipes for making soap. If Mrs. William, Sr., had lived, she would have given directions to his ill-directed efforts to have a good time trying to spend his millions, but, as often happens, having inspired him to amass a fortune, she had got tired and gone to her rest too soon to enjoy spending it.

Three fads, however, William, Sr., had: Billy, Jr., blooded horses, and a family tree. It was hard to tell which came first and which last in William, Sr.'s affection, although Billy, Jr., came first in point of time, and blooded horses second. The two combined, had caused William Sr.'s eyes to turn longingly toward a family tree. William Sr.'s soap was the best soap made, but it had never cleansed his name from the odor of the soap business, nor had his millions paved a golden street for Billy, Jr., to ride over into society. Always a lover of a good horse, William, Sr., had somehow drifted into the ownership of the most noted establishment in the country for the raising of blooded horses, where his attention had been drawn so persistently to pedigrees that he had bought one for Billy, Jr., and had decided that Billy should marry another one. The one he had bought showed that Billy was descended from the Sweyne of the Sweyne's earldom that grew up alongside the other six earldoms in the time of Edward the Confessor, and was related somehow to the well-known Swains of England and America, thus being entitled to place his family tree alongside the noblest trees in the most aristocratic forests.

The family tree that William, Sr., had decided that Billy, Jr., should marry, wasn't really any nobler than

Billy's, but it was one of the Four Hundred and stood out in the open, just where William, Sr., wanted Billy's to stand.

But Billy, Jr., had selected quite a different tree himself. William, Sr., preached his theories morning, noon, and night, and harped on the merits of Elizabeth's tree in season and out of season, but Billy wanted Katherine more than he wanted theories or trees. Katherine, I may as well say right here, was the only really perfect woman in the world, but William, Sr., wouldn't even meet her, because her name was Johnson, and, according to reports that had reached him, was of Swedish extraction, and hadn't any family tree. Billy acknowledged the presence of Teutonic blood and the absence of the family tree, but insisted that she was so far ahead of Elizabeth Rockeweller as a woman that she'd make a family tree to be proud of.

So they both balked, as vulgarly as did ever a Missouri mule, unmindful of the disgrace to the family tree that had been growing since Edward's time. William, Sr., swore that his way was the only way to get their family tree recognized, but Billy, Jr., swore as fervently that his way was the only way to raise a family that would force recognition, family tree or no family tree.

It was blue-blooded pedigrees against warm-blooded eugenics, and they wouldn't amalgamate. The more William, Sr., argued, the worse Billy, Jr., got, and the more Billy, Jr., argued, the higher William, Sr., kicked and the harder he reared, until it looked as if the family tree were in danger of being demolished by a typical Western broncho. Billy thought two or three things to himself as he saw the tree splintering, but he had the good sense to refrain from speaking out loud. He did say, however, that it was Katherine or nobody for him, at which his irate and stubborn soap-manufacturing and stock-breeding *pater* gave the mulish Billy the privilege of choosing between giving up Katherine Johnston and marrying Elizabeth Rockeweller or of being disinherited and set adrift.

Billy, Jr., didn't have William Sr.'s ability to make millions, but he did have the paternal backbone, and so forthwith married Katherine and got a job in a foundry, working like an unpedigreed laborer.

For three years and over, he enjoyed Katherine a good deal better than he had ever enjoyed his daddy's millions, and quite as well as he could if her pedigree had been as long as his own; but the third summer, a fly crept into his ointment. Katherine had always been a superb specimen of womanhood, but this summer the heat began to test even her endurance, and Billy began to worry about her. Half a score a day were wilting in the city, and she began to have a listless air that told of over-strain. Her growing lassitude and his inability to send her to the seashore began to get on Billy's nerves.

If Billy had been himself he would not have gotten impatient with her, although her proposition was enough to make a long-pedigreed saint swear. Eagerly she told him one night of a "Better-Baby Contest" that there was going to be next week, and ad-

mitted that she wanted to enter their baby. Wounded pride and rekindled anger against his father for his injustice, joined hands right there and gave Billy a knock-out blow. Bitterly he denounced his father for disinheriting him; angrily rejected her plea for his permission to enter their baby; bolted hotly from the room, slamming the door behind him, and went for a long walk to cool off. When he came back, Katherine was asleep, or seemed to be, and he was too hurt to waken her and make up.

The next morning, the coolness continued and he went to his work without even kissing her good-bye. After a killing day's work in an effort to forget, he was thoroughly repentant, but repentance could not kill his worry or bring back the roses to her cheeks.

A week of this, and he was ready to undertake what he had sworn he would never do.

The strange young man who took his message in the outer office informed him that Mr. Swain was busy and could not be disturbed. Billy hastily pencilled a note and asked that it be taken in.

"He cannot see you," was the laconic answer brought back in a moment.

Two angry strides brought Billy to the door of the inner office, where he found himself confronted by the stalwart secretary.

"Orders are orders!" was the cool warning. "You can't go in there."

The astonished secretary picked himself up from the farther corner of the room just in time to see the broad back of the intruder disappear behind the closing door.

William, Sr., rose angrily from his desk and glared at his equally angry son.

"What in thunder?" he choked. "I'll fire that confounded secretary!"

"Your secretary's all right," growled Billy, "unless he has some bones broken. Sit down! I want to talk to you."

For a few moments they glared angrily at each other. It was steel against steel, and the tougher piece won. The old man sank back into his chair, but he held his eyes angrily on his son.

"I came to borrow five hundred dollars," began Billy abruptly.

"Not a blamed cent," snapped his father.

"I'm not asking you to give me anything," explained Billy, "but simply asking for a loan. I'll pay you the regular rate of interest, or whatever rate you ask. Katherine—"

"Don't mention your Swede wife to me," interrupted the old man fiercely.

"Don't try me too far," warned Billy hotly. "As I was about to say, Katherine is breaking down under hard work and the heat, and I want to send her and the baby to the beach."

At the mention of the baby, the grandfather seemed for a moment to soften, but then his face hardened again.

"Not a cent for your mongrel—"

With a leap, Billy had cleared the distance between them.

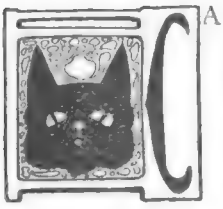
"Take that back," he fairly hissed between clenched teeth, seizing his

[CONTINUED ON PAGE 54]

The Man from Honolulu

BY LAWRENCE WILLIAM PEDROSE

A Honolulu swimmer is a society sensation by his remarkable feats in the water. Much is explained by an amazing discovery made in his bath room.



AP. CAVANAUGH gravely wagged a forefinger.

"I have," he stated, "aboard my yacht in the harbor, a man who can swim Elliot Bay."

He spoke quietly, but had a bombshell been exploded amidst the group on the Arctic Club veranda, it would not have caused a greater sensation. From every side came gasps of incredulity, and a dozen chairs loudly scraped the floor, as their owners turned to stare at the speaker.

It was the evening following Tums Cavil's unsuccessful attempt to swim Seattle's harbor, in which effort that world-famous athlete had lost his life. Cap. Cavanaugh had returned but that morning from a cruise of the Friendly Islands, and as he always brought back from such trips a fund of rare good stories, the boys at the club were wont to single him out and start him yarning. The talk had finally gotten round to the tragedy of the day before, and when it is remembered that many athletes had attempted the four-mile swim from Seattle to the downtown wharves, without one having accomplished the feat, it will be understood why everyone hung breathlessly on the words of a well-known man like Cap. Cavanaugh.

"Yes," he reiterated in the same even voice, "I have a man who can swim the harbor—in fact, he can cross it and return without pausing to rest. If that five-hundred dollar purse which was put up for Tums Cavil, the professional, still stands—and the man of whom I speak is only an amateur—I think I can persuade him to take the risk.

"He is a Hawaiian, and claims to be of royal blood. His name is Kahmee—something; but we call him 'the Duke,' for short. I picked him up in Honolulu. He is well educated and very intelligent; but you know how it is with those brown men—nobody in the islands will give them employment entailing responsibility when whites can be had. I saw him do a few stunts in the surf and offered him a job as A. B., so he could get to the States. He jumped at the chance.

"Every evening, during the run up, he entertained us with stories. There was one in particular that I remember well, and, for a barefaced lie, it outdoes anything I ever before heard. The Duke, though, sticks to it and swears it is true, and he tells it with such evident sincerity that he almost convinces one.

"One night, a Cockney sailor told a tale of pelagic sealing with a Russian ship among the Aleutians, and when he had finished, the Duke be-

gan to question him about the seals.

"It is an established fact, you know, that the fur seal, or otariidæ, as it is known scientifically, because it has ears and belongs to the otter family, spends a greater part of the year in the warm waters near the Equator and makes the long migration into the Arctic for the breeding season.

"When the Duke mentioned this, the Cockney got sarcastic and wanted to know what a nigger knew about it; whereupon the Duke quietly replied that he knew seals better than any other living man, because he had been with them on one of their annual migrations into the north and lived with them for several months. At this the Cockney flared up and called the Duke 'a blyme liar,' so I sent him below to cool off. It was then the Duke told his weird story.

"He said that when he was a kid of four, he was lost overboard one night from one of those Hawaiian native boats during a gale off the islands. He outlived the storm (you know how those little brown kids can swim; it seems as though they are born for the water), and when morning came, found himself out of sight of land and in the midst of a herd of seals, one of which took a fancy to him and adopted him.

"The seals were on their way to the Arctic, but so gradual was the change in temperature of the water as they slowly forged north, that the kid never noticed it. He had had on no clothing to begin with, and Nature soon padded him out with blubber like the seals till he was as roly-poly as any of them. Also, he grew a coat of silky fur, which extended from his neck to the tips of his toes.

"He says the first real discomfort he experienced was when the herd reached the ice-floes. It was a long time before he could accustom himself to sitting on the ice—"

At this point, an explosion of laughter greeted the narrator. He waited till it had subsided, then went on:

"The first month after the herd reached its breeding grounds, the bleak shores of the Aleutians, was a happy one for the kid. He had an abundance of food and all the baby seals for playmates. For hours at a stretch, he says, he used to take them in his arms and slide down the ice-hummocks, or disport with them in the water, playing games the like of which human beings never dreamed.

"Then came the fur hunters, sailing ships filled with big, black-bearded men, who drove the seals inland when they caught them sleeping on the shore or ice-fields and ruthlessly slaughtered them.

"The kid quickly learned to fear the hunters, and, because of his keener senses, became lookout for the herd, perching himself for hours at a time upon some ice-ridge and keeping watch out over the fog banks for the spars of the ships.

"He says he has a hazy recollection of a dark, gloomy day, when he was standing guard as usual, and the hunters slipped up on them in skin canoes under cover of the fog. Caught unawares, the herd bolted inland, the hunters pursuing with club and spear, and soon the ice for acres around was dyed red with the slaughter.

"Only a few of the seals escaped,

and the kid managed to get away with these; but they would have nothing more to do with him, no doubt blaming him for the slaughter of their companions, so he left them and struck off by himself. Alone, he wandered from island to island, meeting with many adventures and many times narrowly escaping the hunters, till he at last came upon another herd that would take him in.

"A few weeks later, when the seals returned to the waters of his home, the kid followed, there to be picked up by a tribe of his own people and adopted by the chief.

"As he grew up, his remarkable ability to handle himself in the water, even in that land of wonderful swimmers, won him fame; but when he reached manhood, he waned as an attraction and had to hunt for work. By being taken up by a college-bred Englishman—one of those wastrel remittancemen, you understand—he got an education, till today he is as choice in his use of English as a professor

"He is only twenty-three now, and as fine a specimen of manhood as I have ever seen. He's quite fair skinned, too, and would pass for a Frenchman or Spaniard any time. I'll bring him up tomorrow night and introduce him. He is every inch a gentleman, and I am sure you will like him."

Cap. Cavanaugh concealed a yawn, glanced at his watch, rose, and with a "good-night, all," sauntered into the club house.

For a long while, the group on the veranda stared at one another in awed silence, then:

"It's impossible!" exploded Patterson, the sporting-news editor of a morning newspaper, and everyone looked queerly at him. "A human being couldn't have had those adventures!"

"I don't know about that," put in Snelling, a friend of Cap. Cavanaugh's and a man whose word carried considerable weight around the club. "I know Cap. quite well, and I am sure that the tales he tells are pretty near true."

Most were inclined to view the story as a yarn of the baldest Munchausen type, but when the crowd broke up, half an hour later, all had resolved to be on hand the following evening and meet the Duke.

The Arctic Club has a very liberal-minded membership, made up, for the larger part, of business men about town, and it opened wide its arms to Cap. Cavanaugh's prodigy, Duke Kahmee.

The Duke proved to be a rather likable young fellow, well dressed, well mannered and not at all forward Most of the Hawaiians I had ever seen were short, stocky-built fellows who closely resembled the negro type; but the Duke was more like a white man. He was tall—over six feet—slender, and had a pantherlike gracefulness of carriage that suggested great strength. He had thick black hair and clean-cut features, while his firm, yet sensually-thick lips, when parted, revealed two even rows of snow-white teeth.

I could find but one fault with him—that was a vanity of dress that he affected. So extremely high was the white collar he wore that it concealed

his whole neck, reaching to a point just below his ears; but so naturally did he wear it, that, under the spell of his personality, one was willing to forgive him it. I liked him from the start, and inside of an hour we had become friends.

I persuaded him to tell the story of his adventures among the seals, and he gave it almost word for word as had Cap. Cavanaugh. I must admit he was convincing. Even Patterson, who bore the nickname of "Old Unbelief," accepted it with the comment: "Highly improbable, but possible—yes, sir, possible."

Later we took the Duke down to the club natatorium and let him inspect the tank with a view to giving us an exhibition of his skill in the near future, little thinking that we would that very night see it demonstrated.

T. Henry Treat, a personal friend of Cap. Cavanaugh's, was standing on the slippery tiling at the deep-water end of the tank, explaining its construction to the Duke, who stood on the other side, when, turning to a swimming device which was swung to the rafters, his foot slipped, precipitating him into the water.

As the pool at that hour was closed to bathers, no attendants were on hand, and Treat, being unable to swim, sank. I cast round for a swimming belt, intending to jump in and help him, but suddenly the Duke shot past me, cleaved the air, and struck the water at the spot where Treat had last appeared.

Almost before the rest of us comprehended his move, he rose again, several yards out, supporting the form of the now unconscious clubman.

It was an hour before Treat was able to walk without assistance. He departed for the Laurels, his palatial home out on the Sound, insisting upon the Duke's going along as his guest for a few days.

The Duke had changed into dry clothes which had been furnished by the club members, but—and it caused me to wonder at the time—he stubbornly refused to exchange his bedraggled collar for one of mine. I did not insist, knowing that he could have his own soon sent up from the yacht.

Before he left, though, he promised he would swim the harbor the following Sunday, rain or shine, and we all voted him a good sport.

As Sunday was but two days away, preparations for the exhibition were immediately begun. Patterson saw to it that the newspapers made much of the Duke, so when Sunday dawned, excitement throughout the city was rife.

Large crowds thronged the two sides of the harbor when the hour announced for the swim arrived. Cap. Cavanaugh's yacht, with the Duke aboard, steamed to the West Side, where Tums Cavil had made his fatal start; and along with a few of the boys from the club, I was fortunate enough to be aboard. Also, to add interest to the gathering, Treat had brought along his family, which included Ruth, his daughter, a girl of twenty, with whom I was on close terms.

With many pangs of jealousy—for I, too, was an ardent admirer of Ruth and had reasons to believe that my

suit was favored—I noticed an intimacy that had sprung up between her and the Duke during their short two-days' acquaintance. I could not believe that she would ever marry a brown man, but he was a fine fellow, and I was conscious of a vague uneasiness. I think I began harboring a feeling of antagonism toward him from that moment.

When he came on deck, the Duke presented a striking picture. Unlike other swimmers, he wore a black garment that reached from the tips of his toes to the top of his head, leaving only his face and hands uncovered. The upper part of the garment was a hood which he had drawn low over his forehead, and he appeared more like a character one would expect to see on the stage or at a fancy-dress ball than at a swimming exhibition. Truly he resembled a very imp of shadow as he stood poised on the bow of the yacht, slender, his body as symmetically formed as a girl's.

He made but one stipulation: that no boats follow him. As the sky was fast becoming overcast with dark dark clouds, Cap. Cavanaugh and the press boats acquiesced with considerable reluctance. Then, with a wave of his hand and a nodding smile, the Duke took a header into the bay, cutting the water without a splash, and a moment later his black head appeared many rods out. Nor did he head out the Sound, as other swimmers had done, to make allowance for the incoming tide, but darted in a straight line for the crowded wharves across the harbor.

To add to his difficulty, when he was a few hundred yards out, the squall that had been threatening, struck, and soon white-capped waves were sweeping the bay. Immediately the yacht put out to escort him, but he raised an arm and vigorously shook his head; and an instant later, even the spyglasses that had been trained on him constantly from the start, lost him among the waves.

Fifteen, thirty, forty-five minutes, an hour dragged slowly by, and the suspense was becoming unbearable, when suddenly a great screeching of whistles came from the tugs and other boats across the harbor.

The Duke had reached his goal!

Everyone aboard the yacht glanced at his watch, and a murmur of astonishment went up.

The Duke had done the four miles in the almost unbelievable time of seventy minutes!

Several men hastened ashore to telephone for verification, and they came back with the startling intelligence that the Duke already was far out on the return trip, having reported at the goal and left immediately after.

Ruth was the first to make him out as he approached. As he drew near, a rousing cheer went up. He was swimming strongly, and acknowledged the ovation with a playful dive, a wave of his hand and a broad grin.

To everyone's surprise, he refused assistance on reaching the yacht, springing lightly aboard, apparently not the least wearied. He hastened below to change into his clothes, and the yacht steamed back to her anchorage.

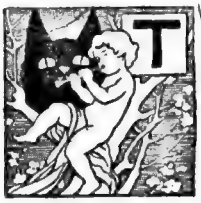
When the Duke again appeared on

[CONTINUED ON PAGE 58]

Sacrifice

BY EDWIN C. DICKENSON

With the love that passeth understanding, a father gives his life, that a stronger arm than his should live to protect his daughter.



TWO men were about to die. One because he had violated the laws of man, the other because he had failed to keep those of nature. Young Ramon Alvarez, because he had killed another human being; old Don Fernando d'Orosa, because he had chosen to compress the joys of living in a fewer number of years than the allotted span, to be his own executioner. Neither was happy to die, yet each was resigned to his fate. Ramon had seen his last sun set over the purple hills, so perhaps had Don Fernando, but perhaps he had not. The gringo doctor had given him a month and the month was up. Perhaps the gringo doctor was wrong. Unfortunately for Don Fernando's peace of mind, however, the gringo doctor was usually right.

But for Ramon the matter was a certainty. He must follow in the path he had sent that other on. General Guerra had said so and General Guerra's word was final. Life was cheap if cheap lives were taken, but Ramon had taken one dear to General Guerra. And while his own, which was one of the cheap ones, would scarcely pay for the one he had taken, yet it was the only one he had, and to deprive him of it was doubtless as much punishment as if it had been a more valuable life.

It was odd that one condemned should be the goaler of the other. It was queerer yet, that Don Fernando should be the goaler of Ramon.

The General had turned Ramon over to the *Jefe*.

"Guard him as you would your own life," he had said significantly, and that Don Fernando's life was a draining hour glass made its minutes no less valuable—on the contrary. So a doomed man was set to watch a doomed man.

If Ramon had seen his last sun, there was yet the moon. It bathed the adobe buildings in a soft light. It brought a peace to his soul. It raised to the heroic, his deed of the afternoon. It absolved him from the taint and touch of this unrighteous army he had come from Mexico City to join.

A high patriotism had been his when he had joined the revolutionists: a desire to serve and die, if necessary, for the sake of his country. Things had gone from bad to worse. He had been blind to it at first. They had taken cattle—but they must live. They had taken horses—but what was cavalry without? And they had taken money. That had seemed bad enough, but if one have cartridges one must pay for

them. But that afternoon his captain would have taken—a woman. The old Castilian blood, the lofty strain of the grandee, had come to the surface. He had more of it than had his captain.

She was such a defenseless thing—so soft, so warm, so young; all he could remember of her now was her great dark eyes, her masses of shining hair, a small, wide-spread hand at her breast. And Levaro, big, brutish of countenance, towering above her, saying those things which he had said to this convent-bred girl, who could but guess at their meaning.

And then the captain had caught her by the wrist. She had screamed. The great doe eyes had fastened on Ramon's in appeal. On him! He swelled with noble pride. Him, out of all that motley crowd, she had picked. And he had not failed her.

"Let her go!" he had said politely, to the captain.

A venomous glare of authority defied, had been his answer.

"Let her go!" he had repeated, in sudden passion.

And the captain had, and reached for his pistol. But Ramon had been before him. He saw again the look of wonder and then of horror, that had flitted over the other's face, the welling stain on his dirty khaki, his drunken reel as he sank to earth.

Even then he might have escaped; but no. It was not for himself he had done this; it was for the girl. So he had held these rascally *companeros* of his at bay until she had disappeared in the mesquite. And then he had given up his gun, for after all, they had been his comrades. He did not wish to die with their blood on his hands.

It was a new moon, a lovely crescent. Never had it hung so purely in the sky. It carried a message of peace; a message of life. How could one die under that serene heaven? God had never meant it.

And then it was blotted out. A face was at the window. Silently Ramon watched it. Against the light of the moon he saw at length, soft masses of hair. It was a woman. He arose from where he had sat with his back to the wall.

"Is it you?" she whispered.

"It is I," he answered, for he knew it could be none other than the girl.

"They will kill you!" she said, half in question, half in conviction.

"*Quien sabe?*" he asked lightly. "One can die but once."

"But it is for—me."

"Does that make it the harder?" he asked, with gentle reproach.

"You shall not die," she cried, in a passionate whisper. "I say it—I—Luise."

"Ah, Luise—the name of a queen," he sighed. Even with death hanging over him he could make love.

"The mesquite—where you saw me—there will be horses. You will escape."

He laughed low.

"Love laughs at bars," he answered, "but not death."

"Remember," she said, "the mesquite." And she was gone.

Don Fernando, the *Jefe*, was worried. Even a man doomed may have his worries. It was enough that this general had entrusted to his care one of his murdering soldiers. It was

enough that the loss of his remaining span of life was the penalty of that soldier's escape. But it was not of himself that he worried now, but of his daughter.

Often she had roamed the hills and plains on her swift pony. Often she had been gone from daylight to twilight.

His neighbors had warned him. The *colorados* were slow to distinguish between Federal and revolutionist, be it feminine. And he in turn had chided her. But what feared she? They would not shoot; and where that fleet horse that could out-run her pony? She had yet to see it.

But never had she been so late. The sun was down an hour; the moon bright in the night. He called for the boy Juan, but Juan had gone to lurk in the shadows of the soldier's camp-fire. He could not leave his prisoner. He sat before his door watching the quiet street. They were having a dance—these soldiers. Bah! If they fought as well as they danced, Mexico would have had peace ere this.

"Father!" He nearly fell from his chair. It was the voice of his daughter and it came from within.

His old heart beat painfully.

"Heart of my Heart, would you kill an old father?" he muttered. He went in and clasped the girl to his breast. He clung to her now for support. She did not know. She must not know. But another such scare and he was gone. He steadied himself.

"Where have you been?" There was reproach in his voice, now that he knew she was safe.

"Have you not heard?"

"Heard? No! What was there to hear, but these dancing soldiers?"

"But your prisoner!"

"My prisoner has told me nothing. Poor fellow, he sits dumb in his cell. Tomorrow, at sunrise, he dies."

He felt the girl's convulsive clasp.

"He must not!" she cried.

"Eh? Why not? He can die but once. It is his business to die. Is he not a soldier? He does not care. A fine fellow. Better than these others. He seems a proper lad. He thanked me for his supper. Asked my pardon because he must have so early a breakfast—before he died."

Again he felt the girl shudder.

"He must not die!" she said again. "We must let him go."

"Eh?" He stared at her in astonishment. She did not know that this spelled death for him.

"Listen," she said. "This afternoon I saw the soldiers come. They were friendly. I left the pony in the mesquite; for even friendly soldiers like good horses. Half way to the house I met these soldiers. Their captain stopped me." She hid her face. Fernando trembled—a terrible light came into his old eyes. He held this girl from him and stared at her in the dimness of the room.

"No," she answered his unspoken question. "Because a soldier shot him."

"He saved me the trouble!" muttered the old *Jefe*, his arms dropping to his side.

"And your prisoner is the soldier," finished the girl.

But Don Fernando had already guessed it. Why could not an old

man die in peace? He had hoped to live for her sake, but of what good was his old life in this age of action? Why had he not married her? More than one young gallant would have been glad of the chance. But she was wild and unwilling, and he was weak, and wanted her more than ever for himself for those few remaining days. And now she needed a younger and stronger man to guard her. He had waited too long.

Impatiently she attended on his musings. Time was flying. The soldiers would not dance all night; the officers of the guard might call to inspect the prisoner any moment.

"Come, father, will you let him die now?"

"No," said the old man; "he must not die." To himself he added, "It is I who must die."

He lighted a lamp and led the way through the rambling house to the prison.

"Ho, prisoner! Wake up!" he cried, turning the key.

But Ramon had not slept. He stood quietly watching them. At the sight of the girl, he bowed low. By the dim light of the lamp she seemed some beautiful angel, come to cheer him on his long journey.

The old *Jefe* held the lantern to his face.

"A good head and kind eyes," he remarked as though to himself. "For what are you fighting?"

"My country," answered the younger man.

Searchingly Don Fernando's eyes rested on his.

"Not for gold—not for power—not for pleasures?" he demanded.

"Would I lie to you now?" asked the other sadly.

"You are afraid to die?"

"If you think so, watch me!" answered Ramon proudly.

Don Fernando rested a kind hand on his shoulder.

"But it is not for your country you die."

Ramon's eyes met those of the young girl's. Could he but live to love—

"But it is for—my daughter—you live," continued the *Jefe*.

Ramon looked from one to the other.

"You have saved her honor with your life. Can you guard it as nobly?"

"That were easy," answered the youth, quietly, "had I the chance."

"Come, then," commanded the *Jefe*. He led the way back to his little office. His daughter stepped to the door and looked up and down the great street. Softly came to her ears the sound of music; still they were dancing.

Don Fernando drew from a drawer a belt heavy with gold.

"It is her dot—take it. If you are worthy, you will take her to the land of the gringoes and marry her. If you are not—" for a long minute he glared at the youth—"but you are," he concluded in heavy relief.

The girl entered the room. "Some one is coming up the street," she said; "I hear the jingle of spurs."

"Then, go—both of you!" said the old man with sudden energy.

"I?" cried the girl.

"You," he answered. "It will be no place for you, soon—"

"But I cannot leave you," she cried, with her arms about his neck. Passionately he returned the embrace and then thrust her from him.

"Go!" he commanded sternly; "as a father, I bid you."

Weeping, she took Ramon's hand; then they slipped through the rear of the house down to the mesquite.

All night they rode. Once he thought he saw distant riders behind them, but it might have been a fancy of the moon-ridden night. In the morning, they rode into the mists of the river. A harsh, nasal voice challenged them from the other side.

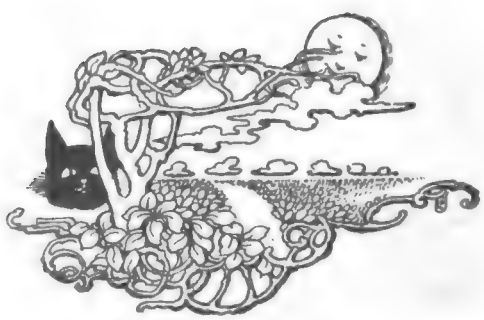
"What do you want?" the gringo soldier demanded.

"A priest," answered Ramon. The girl's eyes met his bravely.

Love travels fast in this hot land.

They put Don Fernando in the cell of his prisoner. At sunrise he was to fill the prisoner's grave. But before that hour, his old heart had ceased beating.

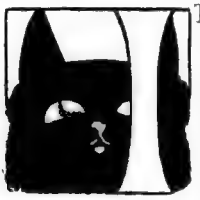
The decrees of man can be altered by man, but the laws of nature are immutable.



Contract

BY JONATHAN HADLEY

A crowd of Wall Street investors and their wives learn some first-hand information about the salmon industry as a result of a threatening labor strike.



IT was late afternoon in the Gulf of Georgia, when the great, semi-arctic sun, settling over the cone of the islands, cast its peculiar color upon two funnels of smoke, far out on the silvered calm. The water seemed as perpetually still as the glaciers which sheeted the mountains, and fully as empty of life, save here and there, for the head of a dozing seal; the bowers of smoke, in fact, were the only signs upon all that placid area of the millions of salmon beneath.

From the shore of Point Roberts the companion steamers were eagerly sighted. Here, the word, by the strange telepathy of such times, had traversed the white-washed buildings, and down upon the long wharf had hurried a muster of practically all the races the sun has yellowed, or blackened, or browned. An equal number of tongues competed in polyglot clamor, through which reverberated the English syllable, "Fish!" Further intercourse seemed reduced to gestures and grins, for men who cannot communicate will leer to the edge of idiocy to prove mutual understanding. Thus, lithe Chinese in pallid overalls, faded from excessive washing, snickered with stocky Portugese, in overalls murked from excessive usage; belt-high Japanese chuckled with giant Swedes; Indians grunted with Icelanders. And the purport of all was, "Fish"!

Sam Endicott, foreman of the International Packing Company, followed the crowd, with his combination of sailor's roll and San Francisco shuffle. For Sam was of The Mission, when at home—the Bowery of the Pacific. His two hundred compact pounds stopped abruptly at five feet six, graduated by a globe of a head, which was crowned by a canted derby. Sam had never been seen without that derby, a little weather-green now, like the hull of a sea-stained tug—nor without its scrupulous tilt. His bright pink shirt sleeves led from a green vest to the pockets of green trousers; a gloriously red necktie, in which some understudy of diamond was blazing, spanned the pink shirt to his bluish celluloid collar; a mighty gold chain, which would have "snaked" a log, joined the pocket containing his time-book and pencils with the pocket exposing his comb and handmirror. Enveloping the whole was a commensurate subtilty of perfume.

His face was a pink full moon,—of a pinkness his shirt could never plagiarize—shaven and scented each morning, even during "the run," until it gleamed like a varnished bowl. The

impression of well-shaped features remained in a straight nose and sparkling brown eyes; while his hair, parted in the mathematical center, was always precisely trimmed and shaved in a circle around his neck. Yet these attributes of Sam Endicott, one soon came to know, subsided before his vocabulary. Swearing was breathing to him. He swore as another man might sigh—pensively, wistfully—if he were tranquil; like undisciplined dynamite, if he were interested.

By this time it could be seen that one of the craft in the distance was pulling swiftly ahead of the other, and presently, those on shore recognized the beautifully-lined "Kulshan," President Merrack's yacht, which was kept in commission all summer, in order that the New Yorker and other eastern directors might lounge in its ample chairs sometimes, when they ran out for a couple of weeks at "The Aquarium," the luxurious company cottage. It was often said by disgruntled workmen that it cost more to run the Kulshan and the Aquarium than all the fish traps and the cannery combined. So that it was possibly with this in mind that Sam Endicott half closed his eyes, calculatively, firmly, as he watched the sylph-like vessel, and said to Joe Clarke, the bookkeeper:

"I've been readin' some of these here efficiency books, Joe, an' I've fell for it three fathoms under. I've worked like I've never worked before, during these last four months, to git the cannery in such runnin' gear that nothing could possibly slip. Me an' Tom Hobart, of the Fidalgo Packers, has bet two hundred dollars about which can put up the cheapest case of fish this summer. I'm out to git that money. I tell you, Joe Clarke, that I'm a-goin' to put up the cheapest case in the annals of salmon packing."

At the musical chime of the yacht, which was slipping up with pennants trailing from its rakish masts, the press of figures fell away from the bulkhead and silence settled upon them. From them, foreman, fish bosses, and superintendents, had their meed of respect, to be sure; but these great beings from out of that distant radiance of which their own wonderful clothes were a glimmer—these struck upon the motley gathering a singular awe.

Upon all but Sam Endicott. As the Kulshan glided in for a clean, velvety landing against her bumpers, and the natty seamen tossed heaving-lines to embarrassed Scandinavians, Sam did not even shift his weight nor draw a hand from his pockets. To him, Wellington Merrack and his six associates in yachting regalia, or Wellington Merrack's son, or Wellington Merrack's wife, or all the other unbelievably beautiful women (as they seemed in that rugged environment), were merely objects of interest, such as any other casual novelty of the day.

"Well, Mr. Endicott," exclaimed Merrack, shaking hands, and speaking in that high-palated intonation resented as "English" in the west, "it looks like the big run is on."

"Yep," responded Sam.

"Won't you please pilot the ladies over the plant, and show them how you've made ready for the catch?"

By this time the second steamer, a tug, had approached enough for her

hundred men, of the assorted races, were clustered in front of Harhson, now mounted upon a pile. Endicott, with marvelous agile leaps for one of his weight, ploughed his way through their midst. Arms akimbo in the little circle he had cleared for himself, he faced the Icelander.

"What in the name of the incinerated Judas is a-going on here?" he demanded.

Harhson lost color perceptibly, but his big jaw clinched.

"We've struck," he said.

The foreman's entire person appeared to swell—his face was a freshet of wrath.

"Struck!" he shouted. "*Struck!* A strike in a fish cannery! Great jumpin' Jeremiah Jehoshaphat! And at the start of the big run! Holee Smithers and Pickled Typhoons! An' after we've been feedin' up you lazy, stumbletoed hulks for four months, now you've—struck!"

He wrested a fish pick from one of the pitchers and swept it around him for emphasis. The crowd shrank back from its sharpened hook. Merrack and the directors appeared with anxious eyes on the outer edge of the circle.

"Struck!" the foreman roared. "Ain't God put it into human heads no more to know what a contract is? Ain't there a single invertebrate one of you white enough to be even a Chinaman? You know'd exactly what you was a-hirin' fer at the beginnin' of the season, an' now that we've got ninety thousand sockeyes a-layin' at our dock, you think you've kicked us to our knees. Struck—I'll show you who's struck—"

He swung the handle of the fish pick toward Harhson and caught the agitator across the solar plexus. With a yell, the man doubled up and disappeared. A tremendous splash was his only other rejoinder.

The crowd dropped back still farther and cringed as the eye of the foreman shot destruction through them. The noisy swimming of Harhson toward the beach was the only sound.

"An' now," vociferated Sam, "I'm through with you! I'm through with any such parcel of mud-hearted whelps. I'd ruther chuck the whole ninety thousand sockeyes into the Gulf—"

An enormous dark Norwegian shambled out of the throng. Gathering courage, he interrupted:

"Ve—ve ain't struck, now," he said.

"Yes, you *are* struck," bellowed the foreman. "You struck onct, you dodgasted, - boobdignagian boob, and you're a-going to *stay* struck!"

Wellington Merrack rushed forward.

"But, Mr. Endicott—"

Sam flung his arm toward the tug which had brought the scows, and still facing the insurrectoes, called to the master:

"Hi, Cap—cart this outfit o' saffron jellyfish over to the mainland, an' dump 'em!"

"But, Mr. Endicott—"

So futile did the president's protest promise to be, that the strikers, cowed by the terrible eye of Endicott, began to climb down on the tug, for the foreman also had his hand upon his bulging hip pocket.

"But, Mr. Endicott," Merrack's

voice fairly whistled with confidential fervor, "stop—for God's sake—the company can't afford to lose these fish."

"Can't afford to lose these fish! Well, Mr. Wellington Merrack, if it means knuckling under to a pack of cod-livered strikers, it is the one identical thing you can afford to do. Why, if you deviate now by a sockeye fin, you'll have walkouts on yer hands every blithering time you get loaded under with fish!"

"Yes, I know, I know, but these we've got to have. I authorize you to accede to any reasonable demand."

"Mr. Merrack, salmon ain't hardware. You can't stop to negotiate in this business. It's take it or leave it."

"That's why I say—"

"And that's why I decline. If you give in just onct, they've got you everlastingly on the run."

"But you haven't given in, and they're willing to come back."

"Yet I don't countenance mutiny by takin' 'em."

"Very well, Mr. Endicott—"

"Now, jest hold on, if you please, Mr. Merrack," Sam took a step forward and confronted the president with all his stubby immensity. Merrack gave back unconsciously. "You needn't waste your breath by firin' me, because my resignation is herewith in your hands. What's a job to me—I git a dozen offers a season. But I've got a reputation to maintain from Behring Sea to Frisco, an' I ain't a-goin' to put up salmon at any sich cost as these fellers demands."

Merrack, totally at a loss, stared at his unusual employee.

"Just the same, I'm too good a fish man," continued Sam, "to cut yer hawsers now. Them's the ethics of a skunk. I'm on the job until you can git somebody else. But them quitters —*goes!*"

The president and the directors closed about the foreman in an earnest low-voiced circle. "Put it to him straight, Merrack," advised John Graham. There was a note of pleading in the other's voice as he addressed Sam.

"You see, Mr. Endicott, we're going to take you into our confidence —the fact is, we've simply got to have these fish and every other one we can lay our hands on in the Gulf of Georgia this summer. The—the stockholders are complaining that we aren't producing enough dividends, and they threaten to vote in a new directorate. Now, if you send away these men before we could rustle another crew from Bellingham or Seattle, we'd forfeit perhaps a quarter of a million. No demand of the strikers will equal a tenth of that—which wouldn't make any glaring hole in the dividends. It's good business to keep them."

"Gentlemen, I can't see it."

"But *we* see it—"

"Say, look-a-here," broke in Sam, "will you give me a ship captain's run of this here point and everybody on it, until my successor comes—will you do that?"

"What do you mean?"

"I mean jest what I say; disobedience, mutiny, and all that sort of thing, same as at sea. Will you do that?"

Dinner was practically over in the Aquarium, the company's cottage,

and the well-groomed company adhering to dinner-coats and décolleté, even in the Gulf of Georgia, leaned back in their chairs for coffee. The dining room, while finished in light oak paneling, after smart interiors of the day, had an individuality, too, which one must travel to the junction of East and West to overtake. For, though the design was American, the appointments were Oriental—the progeny of incredible skill. Beaded curtains with each sandal-wood bead carved by an elfin chisel, strained the dilution of late sunlight and early moonlight through the windows; a Japanese gong of quaintly patterned brass swung like the towers of a circular pagoda, close to the sandal-wood sideboard. The electric lamp shade over the table was a composite of inlaid woods and brilliants, subdued by the Chinese talent for neutrals, until only faintly animate. The door to the kitchen was hidden by a great teak screen, a very phenomenon of carving, upon which figures as tiny as peanuts moved through the cosmos of Chinese fancy.

The meal had been served by a Chinese butler and two waiters, in flowing jackets of heliotrope satin, light silk trousers, inaudible, padded boots. These attendants, noiseless, deft, irreproachable, had given to the repast that ultimate touch of luxury which only the Orient senses. The courses had been revelations of cuisine—confirming the old saying that San Francisco's most celebrated French chefs were born in Kwang Tung, China.

The service, the shaded lights, the wine, had lifted the company a little out of itself. The talk, which ordinarily might have prosed along to ennui, now rose to aspirations and imagery. Wellington Merrack recited lines from the only verses which had ever probed to his poetic nerve—The Rubaiyat—and Merton Cole breathed clumsy conceits of the flowers to Mrs. Graham. Mrs. John Morris murmured of social injustices. Helen Cole and Edward Merrack, the only young persons in the party, discovered sufficient poetry in each other's glances. All the world was mellow and pensive; the discolorations of life had faded beyond the white Cascades, upon whose glaciers moonbeams now were erasing the hues of day.

Coffee was being delayed surprisingly long, and several times Merrack glanced toward the teak screen for signs of swinging in the kitchen door. This first disagreeable note of the evening suggested those of the afternoon. The president's face clouded.

"That man, Endicott," he said, "has always had an exceptional reputation, but—e-gad—with ninety thousand fish on his hands, to send away his crew! Preposterous, gentlemen, preposterous!"

Mrs. Merrack rang for the coffee. Such prompting had heretofore been superfluous, but now the bell in the kitchen trilled sharply. After a moment, in which the talk entirely subsided, it became clear that there was to be no response. The diners looked at each other perplexed—the women in some alarm. There was no sound in the kitchen. Mrs. Merrack noticed that the Chinese doorboy was gone from his post in the hall. A curious silence prevailed.

"As I was saying," resumed Merrack, less self-possessed than before, "this man, Endicott—"

A thunderous step on the porch checked him. The door flew open, and presently the tense, perspiring face of the foreman was thrust through the portieres.

"Excuse me, gentlemen—"

"Yes, Mr. Endicott, we were just speaking of you."

"Thank you. And I was just thinking of you. I'm sorry to say that I need all of you."

"Need us!"

Endicott nodded.

"What for?"

"To pitch fish."

Merrack, who was half turned around in his chair, sputtered his incomprehension. Merton Cole, whose eyes seemed to double their diameter, murmured blasphemous disbelief.

Endicott took out his gold watch and opening the cover—as big as a stove lid—which he immediately snapped shut, said:

"I reckon you'll have to report in ten minutes. Oldest clothes you can lay your hands on; git boots and slickers at the company store—"

Merrack and Cole both sprang to their feet with faces ablaze. They struggled for precedence in eruption.

"Endicott," cried Merrack, "do you mean to tell us that you expect us to go down and grub in a fish cannery?"

"Damn your impertinence—" began Cole.

"Look here, gentlemen," returned Endicott darkly, "did you give me ship captain's command of this here situation—yes or no?"

"Well, you can have a regular poohbah's command," exclaimed Graham, also rising, "just as soon as the president and directors, having other duties to perform for this company, can get aboard the Kulshan and start back to them."

Endicott turned upon him. "Your crew, Mr. Graham, havin' peeled their chorus boy uniforms, is now pitchin' fish. Your servants is also at the cannery—me and the Chiney boss understands each other. But look here, Mr. Graham and gentlemen, just what is your particular duties to this company?"

"To produce dividends," cut in Cole.

"Precisely. Your business is—to produce. An' I'm showin' you the only way. You ain't got the slightest idee how I can do it, but that's neither here nor there. The only point is, you've give me authority over this here emergency, an'—great cauliflower, ain't there nobody but a Chinaman that knows what a contract is?" Endicott, stepping back, put on his hat and settled it at an especially belligerent cant.

"You've got your orders," he concluded. "In exactly ten minutes, I shut off yer lights and water."

Without waiting for a reply, he stalked out through the hall and down the front stoop, and in a moment his quick crunching step on the gravel walk became the only sound, until the silence was broken by a little outburst of screams from the women, and a flare of curses from the men. Then realizing that they would presently be left in darkness, the entire company was prompted to dash this way and that, with no notion of where.

"What—what'll we do?" demanded Merrack, helplessly.

Helena Cole and Edward had been whispering apart. Helena was just at the age to look trustfully for nobility in men; and Edward was just at the age to want to display it magnificently. He strode forward.

"Do!" he exclaimed. "I'll tell you what we'll do, Father; we'll refuse to welch. I'm off to report to Endicott."

Without turning even to nod to Helena, he hastened out of the house and down the path after the pugnacious foreman.

Under the flickering arc lights at the front of the plant, seven portly figures in top boots, slickers, sou'westers, rubber gloves, and curiously tender faces, laboriously wielded fish picks in flinging heavy salmon from the slippery pile where they had dropped off the elevator, to the convenient reach of the Chinese butchers. This long line of twenty or more expert workmen, swaying forward and back with inimitable economy of movement, became in contrast to their strange apprentices, very scintillations of skill. Their motions, always smoothly rhythmic, were so comprehensive that three or four sweeps of the knife converted a ten-pound salmon into a cleaned and appetizing steak.

An eighth figure among those in the new, stiff and sticky oiled coats was supple and active, and appeared to be taking immense delight in serving as a metronome for the others. His elders, panting, perspiring, but as deadly grim as ever, urchins in a try-out of muscle, worked on and blistered and swore—but continued to work.

The pitchers, having finally supplied their butchers with a slim surplus of fish, stopped at length to mop their foreheads and catch up with their breathing.

"By Gad," exclaimed Merrack, leaning on his pick, "I begin to get this now. Endicott has had the machines reset for 'talls,' which, of course, are filled by machinery and not by hand. If he were running flat cans, he would have had to use the two hundred hand fillers who struck. Now he doesn't need them. Of course, the talls are not worth nearly so much, but the point is that he saves the fish."

"Well," returned Merton Cole, partially closing one eye, "of course there were more than the fillers who struck, or we wouldn't be here pitching fish, now, would we?"

He crooked his finger and his associates drew closer. Cole's experience and ideals for salmon canning had been gained in Wall Street, and upon his face there now appeared the shrewd expression of mid-morning below City Hall Park, New York.

"I've been doing a little figuring," he continued. "That strike, if it had succeeded, would have cost, I find, approximately $30,000. Now, we, in our unofficial capacity, may be considered as holding out for the collective terms of the strikers—for without us, you realize, they couldn't put up the fish. Am I clear?"

"Go on."

"Well, you, I, all of us, in fact, heard the president of this company direct that the terms of the strikers be allowed. A word to the bookkeeper, and they become allowed. Do you follow me?"

Endicott, meanwhile, was an utter marvel of pervasiveness; here one minute, fifty feet down the line of machines another, never pausing idly, lending one hand or both as he scattered instructions. He seized a pick now, and passed from one to the other of his awkward squad, scarcely losing a stroke while he talked, explaining how to grasp the pole in order to profit by the leverage; how to hook the fish with a single thrust, how to fling it so that it would not fly off into the thick of unappreciative directors.

When he had decided that all his recruits were going about as well as they could be taught to do, he glanced down the building at the big clock above the retorts. His fish pick dropped with a clatter.

It was now ten o'clock. He would run until eleven and begin again at half-past four. So far, so good. But who was to get breakfast for the pitchers—who was to get breakfast for anybody? There was not a soul he could spare. As for the Chinamen, they would have to look out for themselves; but no one could ask the white cooks to add the kitchen grind to gruelling overtime in the cannery. Yet the directors, machinists, bookkeeper, electrician, and the crew of the Kulshan, all of whom were at manual drudgery, would require pounds of nourishment apiece on the following day.

Mrs. Wellington Merrack and the other women, timid about remaining at the Aquarium, had retreated to the Kulshan. They had cast glances of horror through the doors of the main building, where their men folks were helping the Chinamen, and then had hurried faster aboard for a conclave of wrath. Upon the face of Helena only, was there a symptom of amiability, and she had lagged behind the others until Edward had caught and returned her encouraging smile. In the salon of the yacht, the two fours finally settled down to bridge, but the "dummies" invariably became so vocal that the others could not attend to both cards and apostrophies.

A startled cry from Mrs. John Graham switched all eyes to the companionway, down which the huge feet of the foreman were beginning to make their way.

"Pardon, ladies;" Endicott fumblingly took off his derby.

This was not granted.

"Can any of youse cook?"

"Cook!" The response was a choral shriek.

"Well, that's too bad," observed Endicott, "because then it would come so much handier."

"An explanation, if you please," Mrs. Merrack collected herself to say.

"Why, only this: there'll be twenty-five famished men, includin' your several husbands, that'll be more than ready for breakfast in the mess house at 4.30 o'clock, A. M. They can't start on no eighteen hour pull tomorrer withouten fuel. Meantime, they gotta rest."

Seven of the eight standing women sank into chairs, with even resistance shocked out of them. Helena Cole remained on her feet.

"I can cook—a little," she spoke, presently. "I've had some lessons."

The foreman reached out his vast hand and shook that of Helena. Then

he disappeared up the gangway.

When morning had just begun to fringe the east, eight inconceivably sore and muscle-fagged men crept down the stairs from their cots in the white men's mess house. But even as they had been rivals in many financial field days, they were rivals now upon the juvenile plane of grit. Not one would be first to "holler enough." Many breakfasts in many parts of the world had they eaten, but never one which worked into their memories like that dawn-light meal at Point Roberts. Upon the long tables, covered with oil cloth, lamps burned weakly in the grayish gloom. The capitalists slipped into such places as they could find between mechanics and the sailors of the yacht, while behind them paced seven women in caps and sweaters. Now keyed to the occasion, the waitresses kept an alert look-out for the emptying of a pan of biscuits or a platter of bacon and eggs or a pot of coffee, when they would rush with it to the kitchen. Here a business-like young debutante in a cook's cap and apron with sleeves rolled up on her shapely arms, darted back and forth between the stove and the serving-table to replenish the dishes. Edward Merrack, who could not see the competent Helena, stared at the others in sleepy incredulity, trying to visualize in these bustling attendants, the haughty matrons of his acquaintance, who — but the whistle blew.

All day long the pressure of the night before was maintained in the packing plant. By four o'clock in the afternoon, the capitalists, having passed through every gradient of exhaustion, were beginning to gain second wind.

"I never in my life saw anybody devour work like those Chinks," exclaimed Graham to Cole. "When I feel like toppling over, I get ashamed of myself."

"Here, too," assented Cole, and dug in again with his pick.

Graham and Cole were not the only ones to observe, with growing esteem, how, hour by hour, with scarcely so much as a faltering stroke, the Chinese butchers had swung to their marvelous surgery. The quick-flashing knives and rocking forms seemed pieces of one mechanism of muscle and nerve. The physical scope of the work would have broken down other men long before, but these invincible zealots drove at their task with a speed only comparable to their skill.

All down the lines of machinery, where the filling and crimping and topping were under way, the same indefatigable, if less spectacular, gait was in evidence. The widely strung out ranks of seeming automatons bent forward and back to their labor with eyes and face sunken in to vacuums of routine. At the extreme end of the building, the "testers" and "retort men" moved as wraiths through the clouds of steam, plying upon the cans their almost invisibly rapid mallets. Cars of trays, propelled by other flitting spectres, shot through the fog, until the entire establishment seemed a circling maze of dexterity.

Merrack stopped to consider the scene for the hundredth time.

"Phenomenal!" he muttered.

A staccato blast on the whistle

caused white man and yellow to jump. The immediately lowering hum of belts and gears reported that the power had been shut off. The Chinamen, imagining some break in the engine house, trooped around their great pots of tea; but the directors were still wonderingly motionless, when Sam Endicott bolted into the center of their group.

If they had seen wrath on his face in the course of the last twenty-four hours, it had been a moulded beatitude beside the expression confronting them now. He labored to speak, but barbed dictation appeared to stick crosswise in his throat. Jerking his head toward the double door, he marched out upon the wharf. The capitalists followed. Sam stepped on the bulkhead, looming above them like personified accusation. His superiors did not meet his eye.

"What's this—" the foreman swallowed, "what's this the bookkeeper's tellin' me about yer crabbin' the strike money? What's this, I say?"

Nobody specified what.

"You're a sweet boquet of captains of industry, you are, to shake down your own concern, when you're paid exactly to see what yer now havin' to do gits done. Why, them pore, boneheaded Scandahoovians that I kicked out of here was a invoice of the virtues alongside of you! You—"

"But, Mr. Endicott," hastened Merrack, "you know, as well as I do, that no company in the world would expect us to do this kind of work. We're acting here in our private capacity, and our time is worth money."

"So that is it! All right, then; in yer private capacity, I am firin' every blasted one of you—git!"

The directors regarded him blankly.

"I'm out to put up the cheapest case of fish on the books," continued Sam, "an' I'd be gettin' away with it, too, if it hadn't been fer this little Wall Street wrinkle. That would make it the most exorbitant. But just the same, I've figgered that if I throw away all the fish I've now got left, before the new crew comes tonight, I could still save the company $10,000 over what you'd have soaked it. So trot. Go up to the office and git yer dollar and a half apiece."

"A dollar and a half!" exploded Cole. "We aren't Chinamen!"

The foreman considered him for a full half minute.

"You ain't Chinamen? Well, I should swear to the Almighty Gulliver that you wasn't Chinamen! Say, look-a-here; you know that because of the strike we had to shift from flat cans, which is filled by hand, to talls which is filled on the machines, and we pay a good deal less fer 'em, too. Do you realize that on account of this, them fellers in there that you've saw workin' like insane devils all night and all day, knows that they is practically losin' fifty dollars an hour? Chinamen—Hell!"

Without another word, the seven directors grasped their fish picks and re-entered the building.

From Out the Centuries

BY CHARLES J. SULLIVAN

A sailor, deserting his comrades on a South Sea island, marries a native woman, loses her by the sea that made him an outcast, and then Fortune plays her hand again.

IDNIGHT on the Beira plaza of Montevideo, and moonlight on the sea. The captain and I had been sipping Bokadi for hours, and three times he had told me of his son, lost with the "Wanderer," at sea, three years before. And each time I had sighed and nodded and sipped again, because I knew that the old man's grief was dry.

Now I sat and watched the standing lights of the cruiser Arizona, swinging with the tide. That she was swinging reminded me that soon the captain would be going aboard, and with the thought came the old longing for the States. I turned toward him to ask if I might sail with him, but I did not ask. Instead, I followed his gaze into the shrubbery along the sea-wall. I saw a shadowy figure of a man stumbling toward us from the darkness. He did not need to stumble, but he walked with his face turned toward the sea, and only when he ran into a palm or bush, did his dreamy eyes leave the moonpath across the water.

The sound of the waves against the sea-wall bothered him. He clasped his hands over his ears, but still he stared out over the golden path, following it with his eyes, from the horizon's end to where it was splintered at the surf.

"Listen," he was saying. "Don't you hear him calling?" He pointed out over the sea-wall and glanced at us anxiously. "*Can't* you hear him? Listen!"

We heard the babel of voices from the other tables scattered through the plaza; the sleepy squawling of the gulls, and the swish-swash of the water. But the man was repeating in a slow, monotonous voice:

"Listen! listen! don't you hear him calling? Oh, if only that golden path were solid, and I could walk it out to him!"

The bridge-bell on the Arizona tolled the first bell of the mid-watch, and the captain moved as though to go down to the docks. He was to sail at dawn, but for some reason he sat down again and laughed.

"A red rum stew," he grunted, looking toward the man. "It makes them do funny things. I had one come aboard once at Bahia Blanca, who wanted to count the buttons on my uniform. He—". Suddenly the skipper lurched across the table, and clutched my arm.

"Man, look at that face!" he whispered. "Look quick!"

The man had turned, facing the light. His was the face of a Galahad. But it seemed the face of one

who had sought other grails than the holy one. The lips were drawn tightly across the teeth, like those of a man who had often clenched his jaws in pain or sorrow. His chin was trembling, and beneath the bulge of his great coat we could see his little white throat throb pitifully. His dress was that of a sailor in a storm,—a great bulging coat and shapeless pants, and a sou'wester that was much too large for his little head. Yet, withal his strange attire in such a conventional place, the most wonderful thing about him was his eyes. They were great, tender, womanish eyes, that lured your gaze from whatever else about him you were looking at, as a magnet draws a needle.

Those eyes—they stared at everything about him with a vague, babyish wonder, that was childishly strange, above those straight-drawn lips and sea-browned face. The lights were the source of endless amazement to him, and he would not come nearer to them than the end of our table. The table itself, the bottles and glasses, our uniforms, the waiters scurrying to and fro, puzzled him as a mirror puzzles a monkey. Plainly, he had never seen such things before, and, after a dazed inspection, he started to back away from us, into the shrubbery beyond the lights.

"Come back," called the captain laughingly, "come back and have a drink. You look as though you needed one."

At the sound of the English words, in such a place, the man started forward quickly, then hesitated.

"You Americans?" he asked.

"*Si, si!*" grinned the old captain.

He came nearer. Surely he was not English nor American himself, for he spoke with difficulty and with a strange accent, that was not exactly like an illiterate Spaniard, speaking Key West English. I helped the captain to coax him into a seat between us. I passed him a glass of Bokadi, and he sipped it doubtfully, very much astonished that the wine was cold. Though he did not like it, he drained the glass, and it steadied him. He did not speak of the calling voice again, though he turned every few minutes and gazed into the night as though he could see far beyond the path of gold.

"Come, lad," said the captain, with a wink for me, "you act strangely; your words are not like ours. I have never seen such shoes as yours,—nor such eyes in a man. How did you come here?"

When the boy looked up, his eyes were sparkling with tears. He spoke softly:

"You Americans—like Jimmy?"

"Like Jimmy?" smiled the captain. "Yes, we're Americans like Jimmy,—like Jimmy used to be," he added under his breath.

"You know about New York?" asked the lad.

"Yes; I sail for there at dawn.'

"You know about a place called Virginia by New York?"

"By New York?" laughed the skipper. "Yes; I live in Virginia. I'm a F. F. V. It's a big state, you know." But the lad did not know.

"You know about Jimmy, eh?" he asked. "That's where he lives. What you call 'my dear old dad' lives there now, but Jimmy—" he turned again

and looked out over the sea.

Something in the boy's constant use of the name, startled the captain, and made his old lips tremble.

"Jimmy?" he asked. "Jimmy who? Did you know his last name?"

"Kerry!" said the boy promptly. "Jimmy Kerry."

The old man gasped and fell back in his chair as though he had been struck, and I could only sit and stare. Presently, I went to the captain and straightened him in his chair. I feared for his heart, but in a few minutes he laughed at his foolishness.

"It can't be, can it? He was on the 'Wanderer,'" and he smiled up at me sadly. Then to the boy:

"No, I don't know about Jimmy—about this man. Who was he? Where did you see him?"

"Jimmy was on the 'Wanderer,'" said the boy. His words were the ones we had been whispering to ourselves! The old captain had driven away the flutter of hope by mumbling them. In our dumb silence the lad went on.

"He came to our island on the 'Wanderer' a long time ago. She went back to her home, but Jimmy stayed—he loved—he—"

The captain leaped forward like a tiger.

"Say it again!" he cried. "Say it again! What was the name of the ship?"

"The 'Wanderer,'" said the boy.

The old skipper reached out and clutched a wine glass. The stem snapped like an icicle. He held a match to his cigar, but his hand trembled and shook it out.

Every sea-goer remembers the "Wanderer," as every American remembers the "Maine." Five years before, she sailed from Hampton Roads on a special service mission, to find and chart an island which had been reported by a storm-driven tramp, about five days out from Montevideo. She had been gone nearly a year, when she was sighted on her homeward cruise off Maise Light. From there she had "wirelessed" by way of Guantanamo and Key West, that she had found the Island, but after that, she had never been heard from. Scout cruisers picked up one of her boats and two buoys, but nothing else of her was ever found. That was three years ago.

Now, here before us was a grotesque figure of a man, with soft womanish eyes and sea-browed face, telling us of the same ship, and of one of her crew. We sat silent before him for a long time, while he stared around him like a baby in a zoo. The beautiful women with their brilliant dresses seemed to interest him more than anything else, and he asked unanswerable questions concerning them.

"Won't you tell us about the 'Wanderer,'" asked the captain quietly.

"She came to our island a long time ago," said the modern Galahad.

"What was the name of your island?"

"We called it the Isle of Magelhaens until Jimmy came. He made us speak American all the time after we learned it. You would call it Magellan's Island."

"How many of you were there on the island when the 'Wanderer' came?"

"How many?" said the boy doubt-

fully. "Oh, I don't know. We never counted each other. There were all the Bontouri families, the Verrazanni, the de Cotres, the Maluci, and our house, which was the largest, the Matavi. I suppose there were five hundred then, and many more buried on the hill by the old church."

The captain and I sat back in our chairs and gasped.

"Five hundred of you and many more buried by the church?"

The lad was surprised at our surprise.

"Didn't the men of the 'Wanderer' tell you about us when they came back?" he asked.

I heard the bell of the big cruiser strike the first hour of the mid-watch; a launch put away from her side and came bobbing shoreward. The skipper did not see it. He saw nothing of the thinning crowds around him. He watched the lips of the boy, afraid to miss a word.

And those words were not ones to be missed! We were hearing a tale from out the centuries, a reading from the logs of Captain Magellan of four hundred years before. I smiled a little at first, but as the lad went on telling how he had learned all this from a log written by one of Magellan's captains after he had been wrecked with a ship load of women and men on a strange island, I began to believe him, for I remembered.

I knew enough of history to know that when Magellan reached the straits that now bear his name, two of his captains deserted with their ships, and turned back for Spain. One of them dropped into Ferrol a year later, but the other, a barkentine, under the command of Captain Mesquita, was never heard from again. In my imaginative days at school I had often wondered what had been the fate of this preciously-laden ship. Had it drifted into the jungle shores of Brazil or the dune-covered beaches of the South? Now here was a boy telling us that it had been wrecked on a tiny island in the equatorial Atlantic; that its crew and their women had made the place into a paradise, and had lived and prospered there; that he, himself, was a descendant of them.

In quick, gasping phrases, he told us as much as he had learned from the ancient logs about the strange island and its new race. He told of their strange, socialistic laws and customs, and he told of his own youth and the queer games he and the other children had played on the palm-fringed shores. But when he began to speak of the "Wanderer," his voice grew softer, and I thought there was a tone of pride in it. When he spoke of the surprise of the men at finding white men on the island, he laughed like a child, but the next instant, when he told of Jimmy acting as interpreter, tears started into his eyes and he looked away over the sea.

"Jimmy," said he, "was the only man of the crew of the 'Wanderer' who learned to understand us. Others of the officers could speak Spanish but it was the sort they do not speak in Spain, and Jimmy said that our language was so pure that the men who had learned Spanish along the coast could not understand it. So Jimmy was detailed as interpreter and to study us, and to find out if we wanted to leave the island. He was with me

most of the time, for I was the schoolteacher then, and—and—"

The boy hesitated a little, then glancing shyly at the captain went on.

"In a few days Jimmy was in love. There was the old church on the top of the hill in the middle of the island, and this girl whom he had begun to love was about the only one who knew how to get up to it without wading through an ocean of vines. This girl's name was Arda of the Matavi family.

"One day, while the party from the ship was prowling around the beaches with paper and pencils and measures, Jimmy and Arda climbed the trail to the little church. In the olden days, the people used to go up there to worship, but when gold was found beneath it, another smaller shrine was built along the shore, and everybody was forbidden to visit the old church. The old men feared that the gold would cause discontent and trouble, and they ordered the mine to be covered. Enough metal was taken out to make a few trinkets for the women, and for things that were needed around the home, but that was all.

"The church was not so interesting as Jimmy had expected, nor the mine either, for after roaming around awhile, he led Arda out on to the moss-covered facade, and there they sat silent a long time. At the foot of the hill they could see the strangely dressed men and boys working among the yams and pineapples. Along the beach were a few idlers, or old men, watching the 'Wanderer' as she swung with the change of tide. Jimmy, too, saw the 'Wanderer,'—saw the men holy-stoning the white decks of his sea-home, and the officers pacing up and down the quarterdeck. He knew that in another week he would have to return aboard. In a month she would be back in the States. Did he want to go without this little pleasant-eyed girl who loved him? He turned toward her and saw that she, too, was watching the ship. Her lips were parted in silent wonder. Her eyes were wet with unshed tears. She loved this beautiful island, she loved every one of the people on it. Often she had wondered what was beyond the blue line where sky and ocean met, but her wonder had never become a longing. Now she had come to love this stranger. Would she want to go away from the island with him? Her throat and bare shoulders were golden in the light of the setting sun. She knew that she was beautiful. Suddenly she caught her loose camisa closer to her breast, and turned to the man at her side.

"They did not need to speak, but in the same breath they whispered the English words, 'I love you.'

"Then, as the afterglow faded from one cloud to another, until it was only a red splotch in the west, Jimmy asked the question which he had so dreaded to ask.

"'Arda,' he whispered, 'will you go back with me when the "Wanderer" sails?'

"Arda, too, dreaded the question, but she answered quietly, 'Yes, I'll go anywhere with you.'

"At dark, she led him back through the dim trails to the homely village by the sea, led him by the hand to her father's house, and in front of her aged father, himself. And Jimmy talked to the old man, and Arda plead

with him, but in vain. The Britons might take any of the people who wished to go, but Arda could never leave the island. That was final. Matavi liked Jimmy and gave him permission to make his house his home until the 'Wanderer' sailed, but at that time he must leave Arda behind.

"In the morning, Jimmy went out to the ship and brought back books and papers and maps. He read to Arda of the fall of Spain; and of America, the land of which she had never heard. Day after day, they went to the church on the hill, not to gloat over the hidden wealth there, but to be alone and to study. Jimmy put a dot in the middle of the great Atlantic and taught her the exact location of the island. He explained to her why no other ships ever touched there, and why, every day, great steamers passed within a few hundred miles of it without ever coming near. But most of all, he talked of his native country, his home, his mother and his dear old dad, who was a captain in his country's navy. Arda was always interested, but all she said in English was, 'I love you'!

"At last, came the day before the dawn of sailing. Old man Matavi and Jimmy and Arda, held a long consultation. In the afternoon, Jimmy went out to the 'Wanderer,' and returned immediately with a bundle beneath his arm. He was very calm and smiling. From the house of the Matavi, he and Arda slipped out to the trail leading up to the church. At dusk Arda came out carrying the bundle. Jimmy climbed on up to the church, and ascending into its tower, sat and looked down on the beach. He tried not to look at the 'Wanderer' at all, but when he did, his eyes were misty.

"By a roundabout way, Arda came down to the beach where Jimmy was accustomed to take his daily swim with the other officers from the ship. There she unwrapped the bundle and took from it an ensign's white uniform. She was laughing joyfully, hugging the soft blouse to her breast. Carefully, she strewed the clothes on the beach, a few yards back from the water. Then looking up to the tower, that loomed weirdly against the sunset sky, she removed her shoes and the cocoa tapis from about her hips, and tying them on her head, she walked down the sand into the water. When the smaller waves began breaking into her face, she waved her hands at the turret window, then swam down the shore toward the village.

"So the 'Wanderer' did not sail at dawn. She fired one of her saluting guns to greet the sun, rang eight angry sounding bells for Kerry's return, and unfurled the recall pennant at her foremast. When the sun had climbed high above the church on the hill, a boat was lowered and rowed hurriedly ashore. The officer in charge came directly to Arda and asked about Ensign Kerry. She told him that he had been seen last going down to the beach for his plunge. The squad hurried down the shore, and Arda and half the population followed after them. They found the uniform on the beach, saw the footprints leading down to the water, and none returning. Out across the bar they saw the green triangle of a shark's fluke, slipping through the water. A signal boy wig-

wagged the message to the skipper, and after a few minutes, a boy from the bridge signalled for them to return aboard. At noon the 'Wanderer' got under way, and we never saw them again."

The old captain's face was a ghastly thing to see. He stretched out a trembling hand and caught the sleeve of the boy.

"And Jimmy Kerry?" he croaked. "He deserted? He remained safe on the island, and his ship went out to her doom? He deserted, and for the sake of a girl, a spiggoty girl? Oh, Jimmy, Jimmy!"

Very gently, the lad unfastened the fingers from his sleeve and placed the hand beneath his on the table.

"Jimmy said," he whispered, "that his dear old dad would have done the same for his mother. Do you suppose he would?"

The captain didn't answer. Across the bay, the beacon of the Mount and the Beira lights of Montevido glistened like the settings for a fantastic play. A waiter came with bottles and ice, and at the sight of our faces, he winked wisely at me and went laughing away.

"That same night," continued the boy, in a voice that was so much the same that it seemed forced, "that same night, Jimmy and Arda were married. De Pausi, the priest, married them. Old Matavi gave them the house that had belonged to Alvaric, the gardener. There they lived and were happy—how unearthly happy, I cannot tell you. Jimmy became a fisher, and all were glad that he had stayed—all but one. Alvaric considered himself doubly insulted. First, it was known that he had long admired Arda, and second, his house had been taken from him and given to his rival. Alvaric swore to be revenged. He was not a bad man—just a Spaniard in love. For the first time in the history of the island, a man was forbidden to enter a neighbor's house.

"When the 'Wanderer' had been gone a year, a little fair-haired girl came to Arda. She was named Virginia. Oh! in those few months they were happy. The baby was different from any that had come to the island. It drew the wonderful American nearer, made the little stone hut brighter, and life more worth the living.

"Jimmy was a fisher, but in the two years following the departure of the 'Wanderer' he had done more than supply the tables of his foster countrymen. He had built many little sloops for deep-sea fishing; he had spun great nets and cast-lines of pineapple and cocoa fibre; he worked the mine below the floor of the church and filled the houses of the people with queer trinkets of solid gold. A diamond which Matavi gave him, he worked into a setting of gold for Arda, tracing her new initials inside the band.

"When Virginia was two years old, Arda was required by custom, to do her share of her husband's work. When he had shoaled a large school of bluebacks within the bar, Arda would go out in her own sloop and help to net them. And often when Jimmy had other work to do ashore, Arda went out beyond the bar alone."

The boy fell silent for a minute. He sipped at his wine slowly, then hid both his hands below the table.

When he spoke again, his lips were trembling. The captain did not heed the whistling of the launch at the landing below the plaza.

"One morning Jimmy started early for the church. Arda left the baby with a neighbor, and going down the beach, floated the deep-sea sloop which Jimmy had made for his own use. She brought down a breaker of water and her dinner, and then, when the tide was high, she pushed away from the shore and tacked out over the bar among the swells beyond.

"From his shack on the side of the hill, Alvaric was watching these proceedings anxiously. Suddenly he ran down the hill toward the beach, shouting at the top of his voice. Then he realized that she would run all the faster for his calling. He could do nothing.

"There was a brisk wind blowing off the island and the sky threatened a storm before night. When Arda reached the fishing grounds, about four miles off shore, she cast her lines, dropped her drag anchor over the side, and settled back to read one of the books Jimmy had smuggled from the 'Wanderer.' Long before noon, a gale was blowing. Arda drew in her lines and headed the wind, for the cove entrance. The sail bellied out gaily in the breeze, and had the island been in the other direction, she would have made it in an hour.

"She had not gone far when it happened. The stay of the mainsail snapped at the gaff, the boom whirled inboard, breaking the lash at the topmast with a sickening thud, and both the main and jib sheets fluttered noisily over the board. She carried no topsail, and if she had, she could not have mastered it. She swung the oars into place and strained her back in a last endeavor to change her course. With the first pull, the port oar snapped like a pencil, leaving only a useless club in her hands. In consternation, she looked closely at the remaining oar, and as she looked, her blood ran cold. Perhaps for the first time in her life, she was afraid. The piece had been neatly sawed just below the balance. One stroke and it would break.

"The wind was carrying her away from the island at seven knots and the gale was growing fiercer every minute. The little boat was riding the swells well, but it was not the storm that she feared. It was what must come after—the long days when she would drift alone and helpless ever farther away from Jimmy and her baby. No words of mine can make you understand the agony of the next two days. The storm lasted only through the first night, but the wind blew steadily, and her little craft sped on into the unknown, like a clipt gull before a storm. She had not slept, and the terrible loneliness was driving her mad. She raved at the bare mast, ogled the triangles of the sharks that followed her, and laughed herself to sleep.

"When she awoke she was in a musty cabin of a ship that sailed like the 'Wanderer.' There were bearded men standing over her, and she felt hot brandy in her throat. When she was able to talk, the story she told, or tried to tell, convinced the men that she was crazy, and so they treated her tenderly. They were Spanish

from the port of Ferrol, bound for here, Montevido. For what seemed years, she lay there in the cabin. Visions of Jimmy and Virginia came to haunt her, and she tossed and raved like a mad woman.

"Then, after many days, the ship lay still beside a dock. Staring through a port she saw strange sights, —things she had never seen before. She saw more men than she had dreamed were in the world. They were running to and fro, carrying things on little carts. The big wooden buildings frightened her, and the smoky air and noise set her to raving. Then she turned, and looking out over the sea, she became quiet again. At evening, she removed her outlandish dress and put on a suit of dark clothes, which hung in her cabin. Then, before the standing lights were lit, she walked down the gang plank. She wandered aimlessly through the streets, hungering for the sight of a familiar thing. Tired in body and soul, she turned instinctively toward the water front. She missed the docks and brought up against a vine-covered wall. Following this in the darkness, she came—she saw—oh, can't you see?"

The little hands came up from under the table and trembled over the big hand of the captain. The head bowed forward on the table, and the sou'wester tipped and fell to the ground. A great mass of silken hair tumbled out upon the table. The slim white shoulders, that showed beneath the great coat, shook with silent sobs.

Slowly the old captain reached out and touched the strands of night-hued silk. His hand slipped lower to the girl's left hand and fumbled with the ring which glistened there. She raised great tender eyes to him pleadingly. He bowed and kissed the ring.

"Come," he said tenderly, pointing down to the docks, where a launch was still tooting its whistle. "Come, we sail at dawn."

The girl drew back, and her eyes were saucersful of tears. I bowed down and touched her hand.

"Trust him," I said; "this is Captain Kerry of the Arizona. He wants Jimmy, too!"

The Circle

BY HARVEY FERGUSSON

In dramatic form, the author has presented a truth to which many a desert rat has attested with his life.

FROM the crest of the slope where Guadelupe lay in wait, the German peddler and his burro coming across the desert looked like a large insect and a small one creeping slowly over a sunlit floor. There was no other living thing in sight except the wheeling buzzards above them.

Guadelupe flattened himself behind the scant cover of a small Spanish bayonet plant and cocked the hammer of his Winchester. His swarthy cheek nestled against the stock; he drew a careful aim, and the copper bead of the rifle sight covered the breast of the unsuspecting peddler. Guadelupe knew that he could kill his man with certainty at two-hundred yards, but he resolved to wait until the peddler had crossed the dry, shallow arroyo at the foot of the slope. There was neither trail nor road across that part of the desert; the peddler was taking a short cut. In the little gulch his body would be meat for the coyotes and buzzards, and no man would ever find it.

The peddler's pack contained a bracelet in the form of a heavy silver circle set with turquoise, which had fascinated the great black eyes of the Senorita Catalina Martinez in the town of Las Lunas, twelve miles to the south. Those same black eyes had thrilled Guadelupe with the desperate passion which belongs to Latin blood. He would dare anything to bring that passion nearer fulfillment. And he had no money with which to buy the bracelet.

The peddler and his burro disappeared for a moment in the arroyo. Guadelupe rose to his knees and crossed himself; then settled back into his ambush. First the head of the peddler and then half of his body came slowly in sight as he toiled up the bank. Again the copper bead covered the man's breast, and this time the rifle cracked.

The peddler clasped his arms across his chest, coughed, and fell forward. In his death struggle he rolled to the bottom of the dry waterway and brought up, sitting, against the bank. His head lolled forward; his eyes were wide and staring. So he died.

Guadelupe came to the top of the bank and peered over. He felt a shudder of terror as he saw the ghastly result of his shot. The broad, sunburned visage of the dead man had turned a pale yellow, while the blood made a dark pool between his knees. The burro was quietly cropping the dry grass a few yards away. With nervous, fumbling fingers,

Guadelupe stripped the pack off the animal and found the bracelet. He took also a wooden crucifix and a gaudy red silk bandana handkerchief. These he thrust into his shirt front, kicked the rest of the pack into the arroyo, and turned toward the town.

The sun was going down behind far mountains in a glowing mass of cloud. All afternoon the soft cumulus, edged with a dark promise of storm, had been piling up on the crest of the range. Now it was lit with colored fire and loomed immense and terrible. As the sun went lower, the cloud mass rose and spread, arching across the sky; so that when dusk came the familiar outline of the mountains was hidden.

Before Guadelupe had gone a mile, darkness had fallen, and he cursed the peddler for having been so slow. Straight overhead, a few stars twinkled, and one great golden star shone directly before him. Toward this, he laid his course and hurried onward. In the still heat of the desert night, his breath came hard, while he slipped in the sand and stumbled over low, ground-clinging cacti.

The guiding star disappeared suddenly, like the light of a snuffed candle. He looked up and the last star overhead was also gone from view. The clouds had completely covered the sky and the desert was a black emptiness without mark or limit. Guadelupe went forward faster than ever, following the blind guidance of instinct.

A gaunt black form, with two outstretched arms, loomed before him, and a quiver of terror shot through his body. For a moment he stood staring, then drew nearer. The startling form proved to be that of a great tree cactus, a bulbous branching thing without leaves or fruit, and by its presence Guadelupe knew that he had lost his way. He had never seen the great cactus cross before and had no idea in what part of the desert it grew; but he was certain that it was not on the way to Las Lunas. For several minutes his bewilderment was complete, for he had felt sure of the direction. But he did not acknowledge to himself that he was lost. The desert was like a familiar map to him; he could picture it in his mind. A moment of concentration, and he felt sure which way lead homeward. Then he started off again, hurrying more than ever, to make up the lost distance.

In a little while his breath was coming in gasps and he was trembling and drenched with sweat; but still he did not spare himself. Thirst had begun to torture his mouth and throat, and with it had come fear, for he knew that thirst in the desert soon became madness. Already there were dancing forms and colors before his eyes, and vague, disturbing images that peered at him from the darkness. Sometimes he saw the mocking, provocative face of the girl Catalina, and again, a more terrible thing—the yellow face and staring eyes of a dead man.

For hours, he rushed ahead, spending the last of his energy; sometimes running to escape the fearful shapes in the darkness, and still he failed to see the far, scattered lights of the town. His mind was becoming confused and all things seemed remote,

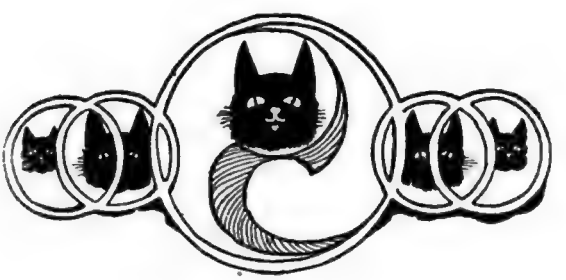
but he clung desperately to the belief that he was holding a straight course homeward. His knees were shaking, and every time that he slipped and fell, it was harder to rise. Finally he was staggering, tracing a zig-zag trail in the sand, and he knew that his next fall would be the last one. He prayed that his efforts had carried him near the town, that the boys driving out the goats in the morning would find him. Suddenly he plunged over a low bank; his head struck a rock and consciousness went out in a shower of splintering lights.

The sun burning his face brought him back to his senses. He lay flat upon his back. His broken head was throbbing with pain, his swollen tongue filled his mouth, and his whole body was inert with weakness. High above him, half a dozen buzzards wheeled in patient circles, waiting for the blazing sun to finish its work.

Gradually his memory brought back the images and sensations of the night before: the mad rush across the desert, the choking thirst, and the dead man back there in the arroyo. He felt a shudder of horror.

Striving to move his legs, he found himself almost helpless, and knew that he could scarcely creep. For some minutes he made no effort to raise his head, knowing that what met his eyes would be life or death. He prayed that he might see the green ribbon of the valley shot through with its silver thread of blessed water. The image was so vivid that he felt almost sure the reality was near. He fancied that he heard the far tinkle of goat bells and the singing of a girl. The imaginary sound brought before his mind the face of Catalina with her deep eyes and eager mouth. By a mighty effort he raised himself upon an elbow.

His eyes met the glassy stare, the drawn yellow face of the dead peddler. He had travelled the inevitable circle of the lost.



In the Thick of It

BY HELEN E. HASKELL

We present this unusual and timely story of war to readers of Black Cat to take from it the lesson it teaches.

DAY would break in an hour.

Adolf Streichen raised himself on his elbow and gazed down at the figure, wrapped in its army blanket, lying beside him. In the dim light it looked like a roll of newly turned earth and beyond it were other rolls, inarticulate, apparently lifeless.

Suddenly the nearest one developed arms. They stretched toward the sky. Another moment, the blanket was thrown back and Fritz von Pau sat up, yawned, struck his chest lightly with his fists and turned toward Adolf.

"How goes it, cousin?" he asked, his teeth gleaming like a white streak in his dark face. "Blisters any better?"

Adolf fancied a covert sneer in the question. He cursed softly, gathered his blanket about his shoulders and sank back upon his knapsack.

He was sore from head to foot. His feet were covered with blisters, his army shirt stiff with blood that had trickled from wounds on his face and neck, cut by the barbed wire into which he had stumbled during the retreat.

The mere memory of yesterday's carnage nauseated him.

How many men had he felt writhing under his feet as he had stumbled forward in the attack that had lasted for hours? His sleep had been tormented with the nightmare of their groans, as the lines had plunged over them in that headlong advance. Twice he had fallen, only to be dragged to his feet again by Fritz von Pau, who had fought like a mad man as they had charged into that hurricane of shot and shell, charged and charged again, while the rapid-fire guns of the enemy had mowed them down until, at the end of the day, the battle field had looked like a sea with seething waves of human flesh that had but a little while before been men.

All day they had fought, their throats parched with thirst, their brains numbed with the awful thunder of the cannonading.

Then the retreat—how long had that lasted? Had it been one hour or ten that they had gone stumbling back over boulders and fallen trees; over great piles of their own dead comrades?

And in another hour, day would break. The slaughter would begin again. Was there no way of escape?

Again he rose on his elbow, peering furtively into the shadowy boles of the trees, that had given his detachment temporary shelter. Somewhere beyond the trees there were

water-filled trenches. If it were not for Fritz von Pau, who slept lightly, he might slip away. His wounds would be excuse enough if they found him. He pushed back his blanket. He was a soldier, not a butcher, and he had had enough of slaughter. Cautiously he drew up his knees.

And again the man beside him stirred, opened his eyes, sat up and faced Adolf, whose guilty purpose of a moment before seemed suddenly lighted up and understood.

"Can't you sleep, old man? What's the row?"

"The cursed barbed wire cuts have given me a fever." Adolf reached for his canteen.

"Hard luck, comrade."

Again Adolf fancied the covert sneer in his cousin's tone.

"Another man would be in the hospital. I'm unfit for duty. But this war is all favoritism and politics—"

"Don't talk like an idiot," interrupted Fritz von Pau, drawing his watch from his army shirt and snapping it open. He smiled into a pictured face in its case, closed it and settled to sleep again, the watch beneath his cheek.

Adolf Streichen ground his teeth. He hated the war, but even more he hated this cousin who slept with the picture of little Marie von Schallern under his cheek. He could not look back over the twenty-four years of his life and remember an hour when the thought of Fritz von Pau had not been like a sore spot on his soul, like a canker, born of envy and fostered by the other man's indifference. For Fritz von Pau took his cousin with a shrug of the shoulders. He despised him for being a welcher and a coward. If the question of rivalry between them had occurred to him he would have laughed, for he laughed easily, taking life with frank lightheartedness. Men loved him for his courage and fine sportsmanship, women adored him for his gallantry, one and all of them envying pretty Marie von Schallern who had been courted steadfastly and uselessly for a year by Adolf Streichen and whose engagement to Fritz von Pau had been announced two days after their first meeting.

Adolf Streichen doubled his fists at the recollection of his humiliation, sat up and again looked down at his sleeping cousin. Already, although the war had endured but a month, Fritz was wearing the iron cross for valor. The sight of it in the dim light frenzied Adolf. If he only dared, he would send his clenched fists smashing into his cousin's handsome young face. But he did not dare. In spite of his big shoulders and bull-like neck, Adolf Streichen was a coward.

The high courage that would send Fritz von Pau singing to his death in his country's cause, he could not understand. The one big emotion of his life was his hatred for his cousin, mingled with the tormenting desire to make Fritz acknowledge him his peer.

"Luck will turn some day," he muttered as he pulled his blanket over his chest. "And then I'll show him."

He closed his eyes, but dread of the coming day and that ever increasing rancour toward his cousin, prevented sleep.

He heard a cock crow in the distance. The homely sound suggested forage. He got to his feet, then stood still, petrified with horror. For in the graying light, swarming up the hillside like ants, he saw the enemy. A shell whirred through the tree tops, bursting almost at his feet.

The next moment guns were popping like firecrackers. Officers rushed here and there, roaring orders which nobody heeded or heard.

For the hillside had become a death trap. Resistance was useless. They were outnumbered, ten, twenty to one. The one thing was to save themselves. Boots, cloaks, guns, were abandoned in the retreat that was a rout, and in the midst of which Adolf Streichen stood dumb, motionless in his terror, his knees gone suddenly useless, almost doubling beneath his weight.

Stretched out, less than six feet in front of him, was his company's flag. He shuddered. Another minute and the useless rag would be trampled under the feet of the enemy, it and he. Still he could not move.

Something struck his ankle, brought him to his senses. He reeled backward with a yell of despair. He was shot—no, that thing at his feet is the bared sabre of Fritz von Pau, who has seized the flag and is waving it aloft.

Ah! That fool, Fritz, is down now, on his knees, but the flag is still in his hands, flaunting its colors in the very faces of the shrieking horde swarming the hillside—black men, th gleaming white teeth, wearing carna niforms of English soldiers.

lf!"

vas there in that single word that sent the blood romping, roiting through the veins of Adolf Streichen, turned his muscles from jelly to steel, found him a-straddle his cousin's prostrate form, fighting with his sword, his clubbed rifle, striking out madly, shouting like a demon, words that were but half intelligible, words that ran like a subterranean stream beneath the noise of the conflict?

"I'll show you the stuff of a man!" His blade sent a black fiend reeling. "I'll show you, Fritz von Pau!" Thrust! A black man on his face, a wound gaping in his throat. "Sneered at me! You'll see now the stuff I'm made of." The sword, broken short at the hilt, had found an enemy's vitals. "I'm saving your life now, curse you, giving my life for yours!" Thud of a rifle butt wrenched from a falling foe, and another man down! "Shrugged your shoulders, called me a coward, did you? *Gott!* I'm saving your life, that's what! Fighting them twenty to one!" Thud, thud!

A bullet tore through his forage cap. The blood in his eyes was blinding him. But what of it? He could still swing his gun, and he was showing his cousin, Fritz von Pau, favorite of that hag, fortune, *verdammt!* Showing him! That's what he was doing. And he had not yielded a foot —an inch! He was giving it to them —the devils—though his life-blood spurted from a dozen wounds. He was fighting on his knees now, drunk with the lust to kill—kill—while Fritz von Pau was alive to see. He was showing Fritz at last, fighting eye to eye with the black fiends that surrounded him. What did he care that the rest of the detachment had

retreated with the enemy hot at its heels? He was showing Fritz von Pau! Single-handed he was holding back a dozen beasts of hell!

His senses reeled. His head fell forward on his neck. They'd cut him to bits. Swarm over him. He no longer cared. He had shown Fritz. Sneered had he, and shrugged his shoulders? Strange vengeance this. His life the price. He gloried in it. For he had shown Fritz von Pau, *verflucht!* shown him at last!

Adolf Streichen opened his eyes. Somebody was holding water to his lips—and those black devils—where had they gone? Away in the distance there was the sound of cannonading but here among the trees where a moment before he had faced those—

Only he wasn't among the trees. He was no longer on the ground with Fritz von Pau under him. There were blankets and a pillow and—What was the chill thing under his fingers?

With an effort he lifted it. "The iron cross!" His voice rang out in a piercing cry: "Fritz von Pau's iron cross!"

How did it happen to be there in his fingers?

From what seemed to be a great distance away, he heard Fritz von Pau, speaking.

"It's yours, Adolf, to be buried with you!"

Another voice murmured something that sounded like, "Greater love hath no man—"

Love! How strange the word sounded. He wished he had the strength to tell them it was not love but hate. But he was too tired. His eyes were heavy. It was very hard to breathe. But the sore spot in his heart was no longer there. For the first time since he could remember, he would go to sleep with no torment of envy in his soul. He caught his breath. His fingers closed convulsively over the iron cross.

They drew the blanket up over his face. The gray of the sky warmed to golden and rose. Day had broken.

The Man From Home

BY K. EDWARD HARRISON

Memory stretches her arm across a continent and saves the life of a woman's mate.

Brr—rr—rr—rip! the telephone rang noisily. "Shanghai" Brown laid aside the glass he had been polishing and ponderously approached the instrument.

"Well?"

"Golden Gate; eight o'clock; Spike—big haul."

"Good!"

"Shanghai" hung up the receiver; gazed abstractedly for several moments at the opposite wall; then walked behind the bar and slowly bent beneath its large mahogany surface. A few stifled grunts and he emerged again to view, puffing and blowing, a prototype of a large overfed porpoise, bearing in his hand the object of his quest—a gaudy pasteboard placard.

Pausing to laboriously remove the beads of perspiration from his shining forehead and blue-veined jowls, he waddled to the show window, pushed aside the green curtain forming a background to the array of whiskey bottles, and carefully placed the card in the centre of the exhibit; a most innocent action, apparently having but one significance—that Bender's dark ale was on draught within.

The buxom young lady displayed on the placard, had smiled invitingly to all passers-by for over an hour before encountering the careless, bulldog glance of a tall athletic young man who, after a second reassuring glance, immediately changed an aimless gait to a brisk walk.

Turning swiftly into an adjoining alley, he circled the block and paused before a small door in the rear of the saloon; took a hasty survey of the deserted street and quickly entered.

"Lock that door."

He shot the rusty bolt and turned in the direction of the gruff voice, dimly discerning the corpulent figure of Brown seated by a table in an obscure corner.

"Got your signal, 'Shang'; what's on?"

"Shanghai's" small pig-like eyes glistened under their thick lids.

"A big night's work for you, 'Spike,' my boy. Bascomb has a husky in tow and you will meet them at the Golden Gate at eight o'clock. He is a stranger and packs a horse choking roll. Give him the dope or sack, but get him—quietly. Riggs will be waiting at coal dock number six. Slip him for a quiet cruise on Fritz Brunner's whaler, the Morning Star."

Mr. William Ryan, better known to the denizens of the San Francisco water front as "Spike," looked closely

into the face of his chief.

"How much do I get?" he said tersely.

"Fifty and a fourth of the roll—there are only four of us," added Brown.

Ryan rose abruptly, his six feet of bone and muscle towering in strange contrast to the squat heavy figure before him.

"You're on!" he said briefly.

The bell in the distant tower of St. Mary's was faintly completing its eighth reverberating stroke as "Spike" Ryan, resplendent in a checked suit and flashing tie, strode through the swinging portals of the Golden Gate Café, and easily shouldered his way through the swarms of lesser humanity, until he reached the desired point of vantage—the cigar counter.

Carefully selecting a cigar of the quality superior to those usually enjoyed, he leisurely surveyed his surroundings, quickly noting the fiery shock-head of the heavy-set Bascomb seated with a companion near the main entrance.

Lighting his cigar with great deliberation, he paused a few moments before the baseball score board and then slowly passed toward the entrance; turning in well-simulated surprise as a voice at his elbow exclaimed:

"It's Bill Ryan or his ghost!"

"Why—hello, Bascomb! I haven't seen you for a year."

And the two worthies clasped hands in a manner that brought a sympathetic smile to the bronzed face of the tall young man standing awkwardly with both hands resting on the back of his chair.

"Beg pardon," continued Bascomb glibly; "I wish to present my friend Mr. Ryan—Mr. Mason.

"You see," said Bascomb as they drew their chairs to a small table, "I was just telling Mason that the West was a good place to stick around if he has a roll big enough to hold him over for a month or two, and here you come—a living example of the East prospering over us poor Westerners!"

"Are you from the East?" ventured Mason, turning to his new acquaintance.

"He sure is," broke in the loquacious Bascomb, "from New York, and if he won't say so himself, he will soon be going back to the home folks in his own private car," and Bascomb laughed noisily.

"What part of the East do you hail from?" interrupted "Spike," hastily diverting the conversation from himself.

Mason colored.

"I'm afraid you have not heard of the place. I'm from Wescott, Maryland—they haven't even trolley cars there, but after four years in Alaska, it surely looks good to me. I believe I saw about a dozen white faces a year up there," he ended simply.

"Wescott," muttered Ryan strangely, "you're from Wescott?"

"Why, yes," said Mason, eagerly noting the change of expression in the other's face; "ever been there?"

Bascomb shot a wondering look at his usually taciturn companion.

"No," answered Ryan vaguely. "I once knew a fellow from there a long time ago by the name of Thompson—I forgot his first name—and it just

came to my mind when you spoke."

"Thompson," echoed Mason, "that's funny; why I know the family well—that is, all except Bert. He left home when I was a kid and they've never heard from him since. I wish you could tell me something about him."

"Spike" shook his head.

"We never ask questions of men out here and all he mentioned about himself was Wescott and for some reason the name stuck in my memory."

Mason hesitated.

"You see," he continued shyly, "that's why I am so anxious to get home. Dorothy—that is, Bert's sister, and I, are going to be married when I arrive. Think of it! Going home after four long years of hell in a frozen country—no one to talk to; little to eat and never knowing which day would be the last, until finally I struck it—struck it rich—and I never could have done it if the thought of that little girl waiting at home had not kept me up."

The young man suddenly became aware of his unconscious outburst and paused.

"Excuse this drivel, gentlemen, but I feel like a kid out of school. Do you blame me?" With a quick movement he produced a tiny locket and snapped the catch.

"That's Dorothy," he added softly.

"She's a peach, all right," clumsily complimented Bascomb, oblivious to the trembling of the hand that Ryan extended for the trinket.

"You are a lucky man," huskily remarked "Spike," catching the warning glance of Bascomb; for precious time was passing and Riggs with the yawl was even at this moment waiting impatiently amid the shadows of the coal wharf.

"You understand," apologetically explained Mason in declining Bascomb's third pressing offer of a drink, "that's why I've cut out the tanglefoot and am off on the ten-forty, in spite of the hospitality of you all."

"We know how you feel, son," said Bascomb genially as they rose, "and," he continued, consulting an ornately engraved watch, "we will see you off, if you have no objections."

And Mason, a friendly warmth permeating his being, followed his hospitable hosts through the swinging doors.

What the plan of concerted action would be in quietly disposing of the credulous stripling, was understood only too well by "Shanghai's" emissaries, as the trio, arm-in-arm, swung from the main thoroughfare into a narrow by-way that Bascomb easily termed a "short-cut."

The street became darker as they progressed; the conversation of the talkative Bascomb never lagging as imperceptibly he dropped slightly to the rear—inch by inch, his right hand now resting easily on the venomous blackjack reposing in the pocket of his coat.

The dimly lighted street crossing loomed weirdly ahead—there only two could pass abreast. Ryan unconsciously tightened his hold on the victim's arm as Bascomb abruptly fell behind.

"Run for that light ahead—station—six blocks to right," grated "Spike," shouldering the astonished Mason from the walk, catching as he whirled

on his heel, the leaden smash of the hissing blackjack full upon his upraised arm.

Surprise, utter b e w i l d e r m e n t, changing to savage hate, flashed over the liniaments of Bascomb's working face as Ryan, with the agility of a tiger, flung himself fiercely upon his partner, crushing the burly figure to the earth, his lithe fingers working their way into the thick neck—choking relentlessly.

Standing numbly apart, feeling more than seeing, the forms of his late companions silently writhing and straining in the darkness, Mason stared dazedly.

"Run—you fool," hissed Ryan through clenched teeth, ever tightening the iron grip on his adversary's throat.

The young man lingered—fascinated.

"For—for—Dorothy's sake—run!" gasped "Spike."

And Mason ran, his footsteps echoing and re-echoing down the empty street—growing fainter and fainter, until lost in the darkness.

Ryan held the tense form beneath him until he saw a shadowy figure pass rapidly beneath the distant light—to safety, and then rose unsteadily.

"You — you — d—— w e l c h e r," snarled Bascomb heavily, his bloodshot eyes expressing unutterable contempt and passion. "He's gone!"

"Yes," mused Ryan, gazing pensively at the distant light and apparently oblivious of the other's presence; "he's gone—home—to little Dot."

Bascomb drunkenly staggered to his feet. "But why—why—the double-cross? You—you—" the hoarse query ended in a gutteral rattle.

"Spike" drew his handkerchief and carefully wiped the blood from his checked sleeve.

"I'm—Thompson," he said quietly.

no jurisdiction to try him for crimes committed in Maine. If it is necessary to cite any authority for this proposition I would call your Honor's attention to the case of Rex *vs.* Coombs reported in Leach's Criminal Cases, page 432, where a person on the high seas was killed by a shot fired by a person on the shore, and the English Courts held that the crime was committed on the high seas and therefore within the admiralty jurisdiction. The same principle was laid down by the United States Courts in the case of U. S. *vs.* Davis, decided by the Circuit Court in 1837, where a master of an American ship, lying in a harbor of one of the Society Islands, shot and killed a man in another vessel lying alongside, and Judge Story held that the offense was committed, not on board the American ship, but on board the foreign vessel, and that the defendant was consequently triable by the laws of the place where the crime was committed and not according to the laws of the United States."

"Have you anything to say, Mr. Attorney General, upon the point?" asked the Judge.

"The cases which my learned friend cites are quite apt," replied the Attorney General, "and I would be forced to admit that they would apply unless the fact that Brown, who is a Canadian, took charge of the money according to the prisoner's instructions."

"I cannot see that that makes any difference," said the Judge, "as everything that Brown did was also done on the United States side of the line and the same objection would apply. I would therefore direct a verdict of acquittal."

And the jury so found.

"I might suggest, Mr. Attorney General," said the Judge, after discharging the prisoner, "that it might be advisable for your department to look into the question as to whether it would not be possible to prosecute Brown for bringing stolen money into Canada."

"I have already considered that," replied the Attorney General, "and it would appear that Brown took the stolen money from the American side of the bar and exchanged it for Canadian money at Houlton, so that the money which he brought into Canada would not be stolen money, and there would appear to be no prospect of proceeding in that way."

Emery's respite was short. The American government promptly took up the matter, employed a leading New Brunswick lawyer, and took proceedings under the Extradition Act and Treaties to have Emery sent to the United States for trial. Emery was arrested and the usual hearing held before a New Brunswick Judge. A United States District Attorney and the New Brunswick lawyer conducted the case for the prosecution, and gave practically the same evidence as at the former trial.

"Have you anything to say, Mr. Logan?" asked the Judge, when the prosecution had closed their case.

"Nothing," replied Logan, "except this: that under the Extradition Act, Your Honor has no jurisdiction to issue a warrant, and that the prisoner

[CONTINUED ON PAGE 52]

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must be discharged."

"On what grounds?" inquired the Judge, and the eminent counsel smiled at each other.

"My ground is very shortly stated," replied Logan, "and is simply this: The Extradition Act provides that any person who shall commit certain crimes in the United States and 'flee into Canada' may be sent back to the United States for trial under certain conditions. We admit that a crime was committed in the United States and that it is covered by the Extradition Act, but all the evidence shows that the prisoner was never in the United States, but everything that he did was done in Canada; therefore, the prisoner is not 'fleeing into Canada,' within the meaning of the Act, and there is no jurisdiction to order his return to the United States. I need not quote a dictionary, or go into any extended argument to prove that as the prisoner has always stayed in New Brunswick, he could not possibly 'flee' into that Province and that, therefore, the Act does not apply."

"The point is certainly a novel one," said the Judge, "but it is well taken and the prisoner will therefore be discharged."

"But the prisoner has already been tried in this Province," broke in the District Attorney, "for this same crime and was acquitted on the ground that the crime was committed in the United States and not in Canada."

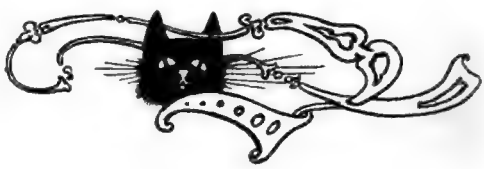
"That is very true," remarked the Judge.

"And now you refuse to send the prisoner back to the United States to be tried for a crime committed there?"

"That is my decision," said the Judge. "I certainly have no authority to do so under the Act, and all I am to do is simply to administer the law as I find it."

"Then if that is correct," declared the New Brunswick counsel, "that is a grave miscarriage of justice."

"On the other hand," remarked Logan, genially, "I consider it a striking example of the triumph of ideal justice."



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father's arm so roughly that the old man winced with pain. "Take that back before I forget that—"

A knock at the door brought him to his senses. He dropped his father's arm and stepped back to the other side of the desk.

In obedience to the old man's command, a secretary entered the room and placed a small hand satchel on the desk.

"There it is, sir," he said.

"All right. That will be all."

As the door closed behind the clerk, the old gentleman tipped forward in his chair and drew the satchel toward him. With trembling hands he opened it and took out a large roll of bills. Billy's eyes glistened.

"Five hundred, did you say?" queried his father, his eyes on the bills.

"Yes, sir."

Deliberately, the old man counted out five hundred dollars.

"Just what you wanted?" he questioned again.

"Yes, sir," replied Billy huskily, deeply moved now that relief was in sight.

Slowly his father counted out another pile of bills, and then another, until four piles lay in front of him.

"Four times what you wanted?" he asked, not looking up.

"Yes, sir," whispered Billy, staggered at the possibility of having so much money again.

Without a word his father piled the bundles on top of one another, stepped quickly to the safe, opened the door, placed the bills inside and twirled the lock.

As silently he stepped back to his desk and pressed the buzzer.

"Show this young man out!" was his stern command to the secretary, who answered his call.

Out in the retired spot in the park where Billy crawled like a whipped dog, he went over it all until his brain and heart were on fire with bitter hatred. His father's injustice from the first—Katherine's threatening illness—the risk to the baby—the diabolical torture inflicted in the office—he lived it all over. His anger when the loan was refused—the kindling hope at the sight of the bills—hope made certainty as his father counted out the money—the despair when the safe shut the bills from his sight!

He gasped, so suddenly had the recollection come and the resolution been made. He still had a key to his father's office and the combination to the safe. His purpose was born full grown, but he spent hours going over every detail, guarding against the possibility of failure or detection. By the time he started for home, he had his work mapped out for the night.

He was glad to find Katherine out when he reached home, for he felt confident that her watchful eyes would detect something wrong. He got out his key, laid out the clothes he would wear, and waited impatiently for night.

"Oh, Billy! Billy!" cried his wife, bursting suddenly into the room, wild with excitement, "we're rich, rich!" Almost dropping the baby on the floor, she thrust into his hands a roll of bills and clung to him, laughing, crying, and trying to talk at the same time.

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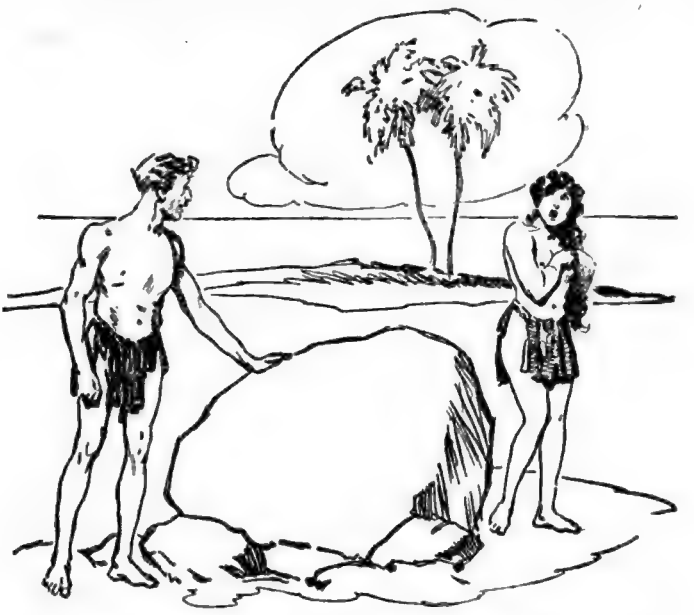

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"Baby won it, Billy!" she exulted. "You won't be angry with me, will you, Billy?" she coaxed, putting up her lips for a kiss. "I entered her under my maiden name, so it wouldn't disgrace your horrid old family tree. Think of it, Billy! Five hundred dollars and the sweepstakes prize—the best baby exhibited! And he was the de-e-earest old man."

"What are you talking about, Katherine?" interrupted Billy, trying to get his bearings. "Who's a dear old man, and what—"

"The man that gave the prizes, goosie,—the one that backed the "Better-Baby Contest." He paid me the money with his own hands, and seemed just as proud of baby as if she had been his own granddaughter. He was deeply touched when I spoke of baby's name being Mary and that she was named for her grandmother. He told me that his wife's name was Mary and that she died years ago, leaving him only one son. I think there must have been something awfully sad in his life, for he cried softly when he told me about his only son. He's anxious to meet you, for he said the father of such a baby must be all right. He's going to call right away—tonight. He wanted to bring me home in his taxi, but I wouldn't let him do that. I wanted to see you first."

"I wonder if that can be he now," she cried, a few minutes later, as they heard an auto stop before their door.

"It is," she exclaimed happily, returning from opening the door, followed by an elderly man.

Stupidly the visitor stared at Billy. Stupidly Billy stared back.

"Father!" gasped Billy.

"Billy!" cried William, Sr.

"Da-da," crowed the prize baby.

"I tell you, Billy," boasted William, Sr., holding aloft his granddaughter proudly, "blood 'll tell."

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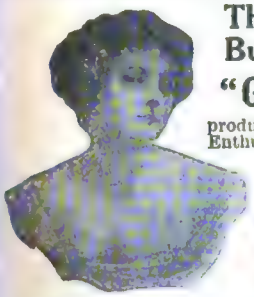

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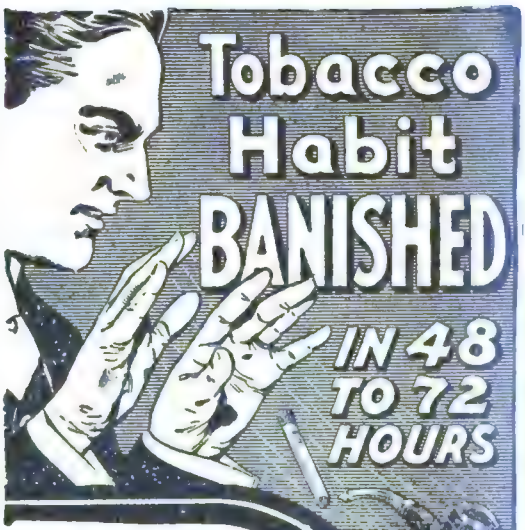

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deck, Ruth took possession of him. She was radiant and showed such a marked personal interest in him that, to conceal my disgust, I took myself off to another part of the boat.

Of course the Duke was lionized for the rest of that week, and I was certain I detected a strut in his walk, which he did not have when he first came. Also, he assumed an attitude of confidant proprietorship toward Ruth, and I avoided them as much as possible, to hide my growing antipathy for him.

At the end of the second week, there became rampant at the club, a rumor that Ruth and he were engaged and that the date for the wedding was to be set in the near future. Then, to cap the climax, as it were, the Treats invited me down for a few days, and the invitation was couched in such terms that I could not refuse.

When I reached the Laurels, I saw that the gossips had not erred; Ruth and the Duke were as devoted as a pair of doves. He trailed her round so closely that he gave me not one moment alone with her.

Several affairs, a dance, a picnic and a clam-bake, had been arranged, and I joined in the fun with a will, if without heart, and believed I concealed my feelings quite well. I was hurt deeply, but I said nothing of it.

The afternoon of my arrival, the Duke gave a private exhibition of his swimming and his performance was truly wonderful. As before, he wore the black suit with the hood, and when asked why, replied that he had found black to be the color best adapted to swimming, and that the hood held in place his hair, which was long and heavy and would otherwise annoy him.

He went through a maze of intricate movements, performing with ease every feat I had ever heard of being done by swimmers before. With watch in hand, I timed one of his underwater swims, and I gasped with astonishment when he stayed under a full four minutes. It was marvelous, staggering to the imagination.

Out on the lawn that evening, he entertained us with stories. He was a born narrator, and when he talked, everyone within sound of his smooth, silky voice, felt the power of his personality and hung on his words in thrilled silence.

There was one tale he told that deeply impressed us all. It was about a superstitious belief current among the Islands that when a child is born on the water it oftimes takes on the ways of a fish, sometimes even to the extreme of being deformed with webbed fingers and toes and like peculiarities. So strong is the native's faith in this tradition, the Duke declared, that, to appease the wrath of the God of Storms, they often return to the waves, a child born on them. He said he was positive he was born at sea, as he was so much at home in the water, and in conclusion laughingly raised his hands to show that he was "not webbed."

I could not stay near and see Ruth throw herself at this brown man, charming though I had to admit he was, so I strode down on to the beach to be alone with my thoughts, resolved to return to the city on the twelve-

[CONTINUED ON PAGE 60]

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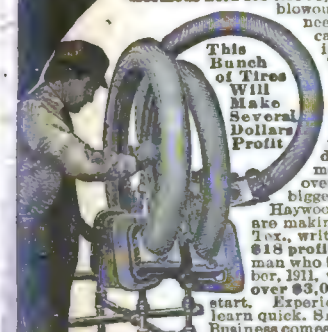

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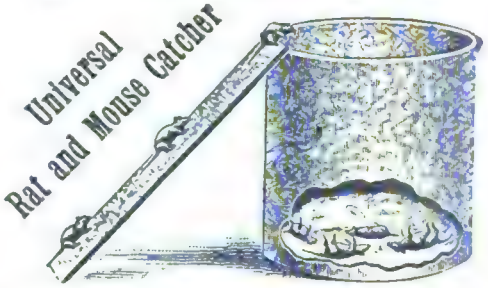

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o'clock boat that very night.

It was eleven o'clock when I returned to the house. Everyone seemed to have retired, so I slipped round to the rear.

Owing to its having been built on the edge of a bluff overlooking the Sound, in the rear, the second story of the house was the ground floor, the veranda, which the library and several bedrooms faced, extending across the back.

I stepped into the library to get my bag and there found Treat waiting up for me. Without explaining why, I said I was going and he gripped my shoulder in such a fatherly manner that I gulped. I realized then that he understood how things were with me, and though he said nothing, I knew that he favored me rather than the Duke for a son-in-law. His hands were tied, however, for Ruth was a girl of strong will and used to having her own way.

He paused in the library door and followed me with gloomy eyes as, too overcome with my emotions to speak, I turned down the moonlit porch. I know I walked like a man in a trance, for I was stunned; all the joy seemed to have been blotted out of my life.

I had gotten half way to the steps, when a reflection of the moon in a window as I passed, suddenly broke in upon my reflections and made me pause. The curtain had fallen away from the window, and as I peered into the room, I recognized it as the bathroom of the Duke's suite.

Feeling guiltily like a peeping Tom, I was about to pass on, when my eye fell on the bathtub, which was close to the window.

I started violently.

The tub was plainly revealed, and I noticed that it was full of water. Peering closer, I saw myriad bubbles rising at one end, and, as one fascinated, I watched them.

Slowly, the outlines of a form in the water below revealed themselves. I caught my breath, and, for a moment, my heart stopped beating, while my hair rose on end. I shuddered.

In the tub, with all but his feet submerged, lay the Duke, and the toes that stuck up were covered with short, silky gray fur and joined to one another by a film-like skin similar to the webs of a duck's foot.

Drawn as by a magnet, my eyes followed the obscure lines of the body till they came to his neck. Then, suddenly, my knees went weak and, with eyes sticking out and jaw sagging, I leaned against the window and stared.

Both sides of the Duke's neck, from his collarbones to a point an inch below his ears, were opening and closing with the regularity of his breathing; and each time the muscles expanded, a thick, dark-red fringe appeared in each of the openings, while a large bubble and many smaller ones streamed from his lips and rose to the surface.

I understood then why the Duke was "so much at home in the water" —*he had gills like a fish!*

My bag fell from my nerveless fingers, and with a hand pressed to my throat in an endeavor to hold back the screech of laughter that struggled for expression, I turned, wide-eyed with terror, and staggered back to where Treat still leaned against the library door.

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